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## House of Representatives

The House met at 9 a.m. and was called to order by the Speaker pro tempore [Mr. SHAW].

### DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,  
June 11, 1996.

I hereby designate the Honorable E. CLAY SHAW, Jr., to act as Speaker pro tempore on this day.

NEWT GINGRICH,  
*Speaker of the House of Representatives.*

### MORNING BUSINESS

The SPEAKER pro tempore. Pursuant to the order of the House of May 12, 1995, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning hour debates. The Chair will alternate recognition between the parties with each party limited to 25 minutes, and each Member other than the majority and the minority leader limited to 5 minutes, but in no event shall debate continue beyond 9:50 a.m.

The Chair recognizes the gentleman from Arizona [Mr. HAYWORTH] for 5 minutes.

### THE CREDIBILITY CANYON

Mr. HAYWORTH. Mr. Speaker, I rise this morning first to bring greetings to you and those who look in from the Grand Canyon State of Arizona. As proud as Arizonans and indeed all Americans are of the Grand Canyon, rhetorically and in terms of actions within this city of Washington, DC, there is, indeed, a credibility canyon, not a gap but a canyon, an everwidening chasm between the rhetoric of our President and the reality of his actions and inactions.

The headlines in this morning's Washington Times indicate how this credibility canyon continues to widen. Lists of files may be incomplete. White House stories face Hill questions. But, Mr. Speaker, there are more than questions which will emanate from this Chamber and in committee. There are questions that the American people have about the stewardship of the Presidency, about the veracity of claims made by this President and, again, the disparity between the rhetoric and the reality.

How unfortunate it is, Mr. Speaker, that this administration and, in particular, this President are not defined by the innocent question, what can he do or what can we do together to solve America's problems. Indeed, Mr. Speaker, the question that we hear from coast to coast and, indeed, in the Sixth District of Arizona, is this one: How can the President explain it away this time? What verbal gyrations, gymnastics, contortions will be brought to bear to put the best face on obtaining hundreds of FBI files on members of the Republican Party? Our President would have us believe plaintively that it was, "an honest snafu."

Well, he is partially right. Snafu is an accurate term. But as for the first word mentioned, the American people have serious questions.

It is a tragedy that those in the executive branch fail to understand the missive of Mark Twain, who wrote that history does not repeat itself but it rhymes. Mr. Speaker, I read with interest the comments of Daniel Schorr, the liberal media commentator who to his credit in the wake of what transpired 25 years ago during a Republican administration now says of this administration, what makes these people believe that the FBI is their private domain to do their private bidding in terms of political investigations. Indeed, the challenge exists for journalists in this town. Indeed, one wonders

where the next team of Woodward and Bernstein might be found, and one also wonders what the results of an investigation would bring or, given the prevailing advocacy of journalists in this town, would the book written be titled, maybe "One or Two of the President's Low-Level Functionaries" instead of the title "All the President's Men."

It is very interesting, Mr. Speaker, to come here from elsewhere, to come here from the heartland of America and to see this dichotomy between rhetoric and reality. Mr. Speaker, this Congress will move to close the credibility canyon.

### CONGRATULATIONS TO THE COLORADO AVALANCHE

The SPEAKER pro tempore. Under the Speaker's announced policy of May 12, 1995, the gentlewoman from Colorado [Mrs. SCHROEDER] is recognized during morning business for 5 minutes.

Mrs. SCHROEDER. Mr. Speaker, I hope everybody knows what this is because if they do not, they are going to by the end of the day. In Colorado, this is gold. This is the wonderful jersey of the Avalanche who last night won all of our hearts by winning the Stanley Cup in four straight games—four straight games. And this was their very first season in Colorado.

Now, my district is normally a mile high, but today I think it is 2 miles high. I cannot tell you the excitement. And I know I should apologize to all of you who are here who were awakened last night at about 1:04 in the morning when the winning goal was made, but we are not going to apologize because we think it is great that you were awakened by people from Colorado cheering everywhere.

In fact, we are even talking this morning about renaming the Rocky Mountains to the Hockey Mountains. I

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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think they are going to find that hockey fever has taken over and is absolutely captivating.

Some of the things that I particularly want to point out as we talk today is this wonderful, wonderful team. You just heard 5 minutes of the same kind of thing we hear over and over again. The fabulous thing about this Avalanche team is they have acted as a team. I do not know if it was their marvelous Canadian trained organization, whatever, but you do not see egos popping out. You see them working together and liking each other, and look what they did in 1 year. There may be some real messages there for politicians, some tremendous messages for politicians.

So I think I would be remiss not to thank our wonderful neighbors to the north in Quebec who helped train this great team and, of course, everybody is particularly fond of the goalie who happens to share my first name, but we are so proud of him. But he would not want to be singled out because they really see themselves as a total working unit. That is kind of a novel concept when it comes to politics, but it could be something we could all learn from.

We know today that Colorado is going to be a work-free zone. It is going to be a total work-free zone. The question is whether the whole week we are going to be a work-free zone only because we are celebrating this great victory. I think all of America can celebrate it, and I mean all of North America, Canadians and North Americans because of the great example they set in showing how to do this, how to do this together, how to do this without ego, how to make it not look like they were kind of throwing it to drag it out and make more money, all the things that have circulated around some of the things we have heard in professional sports. This is about values, and they have really shown us some tremendous values that are the kind that we traditionally had in sports.

That is wonderful to see come back again. So to see the young people in Colorado out there with their roller blades playing hockey is very exciting. I will tell you, we may not have had the hockey players we would like to have had in the past, but I will bet this next generation is going to be there. It is basically going to be because of the leadership and the example of these wonderful, wonderful men who wore this wonderful, wonderful jersey. I think if anybody wants one of these, good luck. I am not giving mine up, and they are not giving theirs up.

The SPEAKER pro tempore. This gentleman from Florida would say to the gentlewoman from Colorado that she is justifiably proud, but I did find some pain in her comments.

IN HONOR OF EUGENE ROSSITCH,  
JR., M.D.

The SPEAKER pro tempore. Under the Speaker's announced policy of May

12, 1995, the gentleman from North Carolina [Mr. BURR] is recognized during morning business for 5 minutes.

Mr. BURR. Mr. Speaker, this Sunday is Father's Day, a day when millions of Americans will thank their fathers for the special role they play in all our lives—for being a protector and a provider, for being a counselor, a mentor and a friend. On this morning, I would like to take a few moments to share with my colleagues the story of a gifted doctor, a trusted teacher and most importantly a wonderful father, the story of Dr. Eugene Rossitch, Jr.

On November 18, 1994, Gene Rossitch drowned off a Florida beach while successfully saving his young son. I would like to focus this morning, however, on the inspirational life of Gene Rossitch, who accomplished so much in his 35 years with us.

On February 18, 1959, in Guines, Cuba, Eugene and Carmen Rossitch were blessed by the birth of their first child, Gene Rossitch, Jr. In 1962, when little Gene was 3 years old, his parents left Cuba with only one suitcase and their wedding picture and moved the family to the United States. The Rossitches settled in my hometown of Winston-Salem, NC, where they raised Gene and his four younger brothers.

With the support and guidance of a loving and successful family, Gene began to compile a record of extraordinary academic achievement that marked his entire life. While in high school, Gene was the State president of the North Carolina National Honor Society before graduating first in his class from Bishop McGuinness High School in Winston-Salem.

Gene then attended the University of North Carolina at Chapel Hill as a Morehead Scholar. He graduated from UNC Phi Beta Kappa and then pursued his medical studies at the Duke University School of Medicine. While at Duke, Gene was awarded the John H. Watson, Jr., Medical Fellowship and was inducted into the Alpha Omega Alpha Medical Honor Society.

Following his internship at the Duke University Medical Center, Gene began his residency in neurological surgery at Duke, which included 2 years as a research fellow in neurosurgery at Brigham and Women's and Children's Hospitals. During that time, Gene became the first recipient of the Cushing History of Medicine Fellowship. And shortly thereafter, he completed a clinical fellowship in spinal surgery at Duke.

Gene's remarkable career then led him back to Massachusetts, where he was appointed assistant professor of surgery at Harvard Medical School and attending neurosurgeon at the Brigham and Women's and Children's Hospitals in 1992. Gene was the spinal surgery specialist at both hospitals.

Dr. Gene Rossitch's service was not limited to the operating room. Gene served on the premedical advisory board of the Currier House at Harvard University, on the Greater Boston Spi-

nal Cord Injury Planning Counsel, and on the emergency medical services task force on spinal cord injury. Gene was also very active in national neurosurgery organizations. For example, he was chairman of the program evaluation committee for the 1994 Congress of Neurological Surgeons Annual Meeting and he had major roles in several other national meetings.

Dr. Gene Rossitch's commitment to finding new ways to treat spinal injury patients can be found in the 61 original scientific journal publications he either authored or coauthored. Gene was also the coeditor of three books. Two dealt with the history of neurosurgery and the third, "A Handbook of Neurosurgery for House Officers and Medical Students," demonstrates Gene's desire to share his vast knowledge with his fellow surgeons of how to treat spinal cord injuries.

While at the Brigham and Women's and Children's Hospitals, Dr. Rossitch supervised the research work of a number of medical students, residents and visiting research fellows. Gene also served as a preceptor for the Introduction to Clinical Medicine Course at the Harvard Medical School.

I have never encountered a more impressive record of service and achievement than that of Dr. Gene Rossitch, Jr. He was recognized by his patients and by those in his field as a gifted and gentle surgeon and caregiver, as an innovative researcher, and as a trusted mentor and teacher of spinal cord injury medicine.

Dr. Gene Rossitch's career is a testament to this young man's dedication to his studies, his sincere concern for his fellow man, and to a willingness to fully utilize the gifts that God bestowed upon him. But as a friend of the Rossitches, I know that the true center of Gene's remarkable life was his family. Gene met his wife Cindy while attending the Duke University School of Medicine and was blessed with three children: Eugene III, Katharine, and Elizabeth. And despite the demands of his clinical schedule, Gene always found time to spend with his family and could be seen on weekends at Chuck E. Cheese, art galleries, and ice cream parlors with his wife and children.

Perhaps the best way to look at how special a person Gene was is to see him through the eyes of the mother of one of his patients. The day before Gene left for Florida with his family for their vacation, he performed a 7-hour operation repairing a congenital abnormality in the neck of Michael O'Loughlin, a 12-year-old boy.

The night before Mike's surgery, the boy was in terrible pain and Mrs. O'Loughlin asked Gene whether they were doing the right thing by operating. Mrs. O'Loughlin remembers asking Dr. Rossitch whether he would perform the operation if Mike were his own son. Gene told her, "Absolutely, without question." Mrs. O'Loughlin tells how Gene insisted that the operation be

done at Brigham and Women's Hospital because he preferred their operating room. And when the hospital refused to take Mike because he was underage and underweight, Gene went before the hospital board to get permission.

The day of the operation, the procedure took much longer than the family expected. But at 7 o'clock, Gene Rossitch came out to tell them everything had gone perfectly. Gene also told the family that the x rays had not shown how serious the problem had been and how glad he was that he had performed the operation before leaving on vacation. Mrs. O'Loughlin says, "I absolutely believe Gene Rossitch saved Mike's life."

A few days later, Gene's last heroic act was to save his own son from drowning in choppy ocean waters near Ft. Lauderdale. I find Gene's last, heroic act a fitting one because Gene Rossitch's lifework had been saving the lives of others.

And since his death, his colleagues have seen fit to honor the life and work of Gene Rossitch. The Humane Society of the Commonwealth of Massachusetts has honored Gene with their silver medal and has donated \$2,500 toward a children's fund named in honor of Dr. Rossitch that has been established at Brigham and Children's Hospital. On June 27, there will be a dedication of the Eugene Rossitch, Jr., M.D. Residents' Library at the Brigham and Children's Hospital in Boston, MA. And finally, on November 22, the Duke Medical Alumni Association will honor Gene Rossitch by posthumously awarding him its Humanitarian Award.

Literally thousands of people enjoy more fulfilling lives because they were touched by the life of Gene Rossitch. And on this Father's Day, I will join Gene's family, his colleagues, his patients, and his community in thanking God that I was fortunate enough to come into contact with the remarkable life of Dr. Gene Rossitch, Jr.

□ 0915

#### DOLE LEAVING THE SCENE

The SPEAKER pro tempore (Mr. SHAW). Under the Speaker's announced policy of May 12, 1995, the gentleman from Illinois [Mr. DURBIN] is recognized during morning business for 5 minutes.

Mr. DURBIN. Mr. Speaker, today is the day of the "great escape." The presumptive Republican Presidential nominee, ROBERT DOLE, is leaving the U.S. Senate after 35 years of service on Capitol Hill.

As a loyal Democrat, let me first salute Mr. DOLE. His service to his country, both in World War II and since, has been exemplary. He has been a legislative leader, one that is virtually unparalleled in terms of his own party's leadership, and he has been at the table when many of the most important legislative achievements of the last several generations have been enacted, and I salute him for that.

But I certainly do understand why he wants to escape from the 104th Congress, the Congress which the gentleman from Georgia [Mr. GINGRICH] called his "revolution."

Take a look at what Mr. DOLE is leaving behind as he leaves Washington, DC. First, the failure of this 104th Republican Congress to enact meaningful health insurance reform. Families that I speak to across the State of Illinois and around the country are justifiably concerned about the availability and cost of health insurance. There is a bipartisan bill, the Kennedy-Kassebaum bill, that is languishing now between the House and the Senate waiting for enactment. Mr. DOLE will be leaving Washington without the enactment of this important health insurance reform legislation to help working families.

Second, Mr. DOLE is leaving town without a minimum-wage increase. That is something that is long overdue. Fortunately, 30 or 40 Republicans broke from Speaker GINGRICH here in the House of Representatives and joined the Democrats in passing minimum-wage increase legislation just a few weeks ago, but Mr. DOLE will be leaving town without this bill being enacted into law.

He came into Chicago a few weeks ago and took off his tie, and put on a sports coat and said, "I'm just a plain individual out here running for President, just one of the people." I hope he gets a chance in that capacity to meet some minimum-wage workers, and I hope they get a chance to ask Mr. DOLE why he left town without helping them and their families cope with the increasing cost of raising their families and providing for a sound future.

He will be leaving town without a balanced budget, and that is something which could have been achieved with bipartisan cooperation.

Mr. DOLE will be leaving Washington without this 104th Congress having acted to expand access to educational opportunity. Instead, the Gingrich-Dole agenda cut back on college student loans for kids from working families. I do not understand that. I would not be standing here today if it were not for a college student loan through the Federal Government. My story has been repeated millions of times over in the United States: kids from working families who could not afford college tuition turn to the Government for a helping hand. Instead of providing that hand, the Gingrich-Dole Congress has basically cut off educational opportunity for so many kids, not only at the college level but also at the lower levels.

There has been no real welfare reform when there should have been. We ought to be able to agree that this welfare system can be reformed meaningfully, that we can, in fact, have provisions that are tough on work but not tough on kids, and unfortunately the Gingrich-Dole proposal was not one that really would reform welfare and

help people come off of welfare and become taxpayers.

There are no tax cuts for working families that Mr. DOLE can point to from the 104th Congress. The Gingrich-Dole Republicans have wanted to make tax cuts for the wealthy, to cut Medicare to come up with money to give to wealthy individuals.

But what the President has proposed is much more sensible: Let us give working families a helping hand to pay for the college education of their kids. Now, that is something that families all over America can identify with. People, when they have a new baby in the family, go over and greet the new baby and congratulate the new parents, and after a few minutes inevitably the conversation turns to, well, we better start saving some money for this little boy or this little girl and their college education.

President Clinton has a proposal to give working families a helping hand, a tax deduction or a tax credit to pay for college education expenses. Mr. GINGRICH and Mr. DOLE will hear nothing of this, and, as a consequence, Mr. DOLE will leave Washington without having done anything in the 104th Congress to help expand that opportunity.

There have been no improvements in pension security. A lot of workers across America are paying into pension funds wondering if the time comes when they retire that the money will be there. The gentleman from Georgia [GINGRICH] has provided in his own bill opportunities for corporations to raid these pension funds. The people that I speak to, the workers I speak to, want security in those pension funds. It is a shame that Mr. DOLE is leaving Washington without the 104th Congress having addressed that.

And, finally, no improvements in environmental protection. In fact, the Republican budget that Mr. GINGRICH and Mr. DOLE worked on would cut the number of Superfund sites that will be eradicated in this country.

It is understandable that Mr. DOLE is leaving Washington. Certainly we can understand why a presidential candidate would want to leave the scene of this political accident known as the 104th Congress.

#### IT IS TIME TO FACE OUR REAL PROBLEMS IN THIS COUNTRY

The SPEAKER pro tempore. Under the Speaker's announced policy of May 12, 1995, the gentleman from Florida [Mr. MICA] is recognized during morning business for 5 minutes.

Mr. MICA. Mr. Speaker and my colleagues, I picked up this morning's newspaper with dismay and read about the President of the United States traveling across the country. I guess he was in Las Vegas yesterday looking for answers to some of the problems facing our Nation. In particular he said he is obsessed with the juvenile crime problems. So he is wandering around the country trying to find out what has caused juvenile crime.

I submit, Mr. Speaker and my colleagues, he does not really have to look too far. All he has to do is look at his policies and see what has generated crime particularly with our juveniles in this country. I submit, Mr. Speaker, that if we look at the policy of the past 40 years—the policy of the other side of the aisle, we will see what they have sown we are now reaping with our children.

I submit that people who laughed at Dan Quayle when he talked about family values are now having a sober moment, and all we need do my colleagues, is look at what we have legislated in this country to see what our children are doing. I submit, Mr. Speaker, that the President of the United States can offer curfews, he can offer uniforms, he can offer to regulate cigarettes, he can offer to put v-chips in televisions, and those are not the answers of what is wrong or what will cure the problems with our young people.

I say to my colleagues that what this Congress has done, creating a system of dependency, creating a system of welfare, creating a system where a child has not seen a parent work, where we have lost the work ethic, where the answer is that government should come up with another program, another credit, another directive from Washington; that is what the answers have been, and this is what we receive.

And then we look at the problems. The President is meeting with local law enforcement agencies' officers and agencies, and I have met with them, and they tell us that 70 percent of the crime in this country is related to drugs. We spent, during the Reagan and the Bush administration, years getting drug use to go down, telling students just say "no," and what did this President do? First he fired just about everyone in the drug czar's office. What was his next step? He hired a chief health officer of the country, who turned into a farce, Jocelyn Elders, and what did she say? She said, "Just say 'maybe'." Our kids are not dumb; they saw what this meant: Try it. And they are trying it, and we are reaping the harvest of this administration.

And then he cut interdiction, interdiction, 70 percent of the drugs coming through Mexico, and rewarded Mexico. This is the policy that we have seen. We know we can legislate, and unless we pass legislation that encourages families to care for their own, unless we return to Judeo-Christian values, until we have a tax policy that does not take away opportunities for our young people to work with minimum wage, unless we say that, "Children, yes, you have to work and you will receive. We must stop asking what Washington can do for you. It's what you can do for yourself."

Until we get back to some work ethic in this country, until we stop forcing people to live in public housing—I saw on television where a little girl choked to death on a roach in public housing

and last night watched on TV the public housing that we would not put our dog in, and that is the alternative that is offered by the other side, these old ideas, and that is what we are seeing in our public housing facilities.

So the problem is here in Congress. We have created the problem. And we will have a choice, the American people will have a choice. Do we continue down the path of the last 40 years, do we continue with ignoring the drug policy? The President mentioned children in one speech 46 times, but he rarely mentions the drug problem in this country: heroin on the increase, methamphetamines, designer drugs, cocaine, marijuana that is frying the brains of our young people, and he will not mention it, and the media will not mention it.

Someone has got to mention it because this is destroying this generation, and I have had it with this administration, I have had it with this President, and I have had it with the solutions of the other side of this aisle, and it is time we got serious and answered the real problems facing our children and our country.

#### AMERICAN WORKERS NEED PORTABILITY IN HEALTH INSURANCE

The SPEAKER pro tempore. Under the Speaker's announced policy of May 12, 1995, the gentleman from New Jersey [Mr. PALLONE] is recognized during morning business for 4 minutes.

Mr. PALLONE. Mr. Speaker, today is a very sad day from the point of view of the Nation's health insurance needs, and I say that because later on this morning there will be a motion to go to conference on the health care insurance reform bill, the Kennedy-Kassebaum bill as it is known, and will also be dealing with a budget that has come back from a conference between the House and the Senate which makes major negative—has a major negative impact on the Medicare and Medicaid Program. And it really did not have to be this way, but unfortunately the Republican leadership keeps insisting on raiding Medicare and Medicaid primarily to pay tax breaks for wealthy Americans and also insists on putting in what I call, and the President has called, I think, the poison pill into the Kennedy-Kassebaum health care reform legislation of medical savings accounts.

If I could just take a minute, Mr. Speaker, to explain why I think that there are some very bad developments that are occurring today primarily because of the Republican leadership's insistence on catering to special interests. The Kennedy-Kassebaum health care reform bill was basically put forward by the two Senators on a bipartisan basis because they recognized that increasingly it is difficult for many people to get health insurance in this country. People who were working, people who are out there who are employed have a difficult time getting

health insurance or transferring their health insurance if they lose their jobs or they go to a new job. And so on a bipartisan basis the Senators, Senator KENNEDY and Senator KASSEBAUM, said that they would like to make some changes, relatively minor changes, but still significant for a lot of people in this country, that would allow people, when they lose a job or change jobs, to take their health insurance with them, this so-called portability concept, and also that people who have preexisting conditions, who have had handicaps, who have operations or whatever, who oftentimes find it difficult to buy health insurance would not be short-changed, would still be able to buy health insurance because preexisting conditions, health conditions, could not be a basis, in many cases, for denying them coverage.

Well, we were all very much in favor of that. But here comes the Republican leadership, specifically Speaker GINGRICH, that want to attach to that very good legislation what they call medical savings accounts, which I call nothing more than a way for the healthy and the wealthy in this country to take advantage of health insurance at the expense of everyone else. What medical savings accounts do is basically allow people to opt for catastrophic coverage, and they pay out of pocket for the coverage for other daily expenses that are not part of that catastrophic umbrella policy.

The problem with it is that it breaks the health insurance pool. The reason why health insurance stays at a certain level and the price does not go up even more is because everyone is in the insurance pool. But if we take the healthy and wealthy out of the pool and we give them a catastrophic umbrella policy, then the people that are left in the insurance pool end up paying more because they are poorer and less healthy. And that is what the medical savings accounts seek to do. They are healthy, wealthy savings accounts essentially, and we know that the consequence of them is that the average costs of health insurance will go up for those people who are employed and in the work force.

□ 0930

So I once again say today, we must put a stop to this Republican policy. Essentially it is an effort to act for special interests. There is the Golden Rule Insurance Co. that has contributed a lot to the Republican Party over the years that has been advocating these special type of accounts for the healthy and the wealthy and until we put a stop to it we are not going to see the basic health insurance reforms that are important as part of the Kennedy-Kassebaum bill. We also have the budget coming up today which once again makes deep cuts in Medicare and Medicaid to pay primarily for tax breaks for wealthy Americans. On Medicare what we are seeing is cuts of about \$168 billion and also major restructuring of

Medicare that will result in doctors being allowed for the first time to overcharge the seniors. Seniors right now are capped.

The SPEAKER pro tempore (Mr. SHAW). The time of the gentleman has expired.

#### MEDICARE

The SPEAKER pro tempore. Under the Speaker's announced policy of May 12, 1995, the gentleman from Texas, Mr. GENE GREEN, is recognized during morning business for 4 minutes.

Mr. GENE GREEN of Texas. Mr. Speaker, a lot of people who are here today and Members that are watching in their offices, this is our morning hour that each of us can get up and talk at this time for 4 minutes on issues that concern us.

A lot of us, whether you are Republican or Democrat, were concerned last week about the Medicare trustees issuing their report on the status of the Medicare trust fund. The trustees said that if nothing is done, the trust fund will be insolvent in the year 2001. This is a serious problem which the Congress should address in a bipartisan way.

However, instead of addressing this short-term problem of Medicare, because it is a short term, it was addressed in 1993 and extended it, and now we need to do it again. We should have done it in 1995 and now we should do it in 1996, to move the year out from 2001 to 2005 and hopefully 2010. But the Republican majority continue to insist that the way to do that is to cut Medicare trust funds and yet at the same time provide even more money in tax cuts.

Again this year the numbers have gone down. In 1995 we were looking at \$270 billion cuts in Medicare and \$245 billion in tax cuts. Well, this year it has gone down to where we want to cut \$168 billion in Medicare over 6 years and provide another \$176 billion in tax cuts. The cuts in Medicare are the cuts in the expected growth. The reason that is hard, I know a lot of times people listen and say, "Well, it's not really a cut in Medicare," and it is not. There is a growth in Medicare. But we have to have the expected growth in Medicare because there are more seniors growing into Medicare every day and if we just match inflation, then we are going behind and the people who are there now, the 70-year-olds, the 80-year-olds who are on Medicare are going to see a cut in the services they have. That is why it is a cut in Medicare even though it is a cut in the growth. But again we need to deal with Medicare and not talk about the tax cuts because they are irresponsible.

There is no free lunch. We learned that in the 1980's when Congress passed tax cut after tax cut and yet increased spending. You cannot cut taxes and increase spending. That is what they are looking for. There is no pain-free that you can do. But they have conven-

iently forgot that the last time Congress did this in the 1980's with a Republican President and Democratic Congresses, that is why we now have a \$5 trillion debt, and that is why it needs to be dealt with. But that was not done just by Democrats. In fact the last balanced budget we had in this country was in 1969 at the height of the Vietnam war and also at the height of the Great Society. So do not let anyone tell you that the Great Society causes debt. It is Congress not being able to control its expenditures on a yearly basis. We are still living with these consequences of the 1980's.

Now we have the summer movie season. For a year and a half the Republicans have been trying to write a sequel to the supply-side deficit from the 1980's. We call that "The Original." In Congress they offered the tax cuts and told the public we would grow ourselves out of deficits and into prosperity. In the sequel now we are seeing they want to offset their tax cuts with Medicare cuts. Unfortunately for the American people the sequels are rarely as good as the original and that is what worries me.

One of the other ways that they talk about preserving Medicare is medical savings accounts. Again we are considering a bill today for health care for everyone and hopefully we would have a health care reform bill. But it is going to die on the cross of the medical savings accounts and that is what is frustrating, because medical savings accounts, I can go out now or any individual can go out and buy a high deductible insurance policy now that says, "OK, I'll pay my first \$5,000." The problem is that the Republicans and medical savings accounts want to give that \$5,000 as a deductible on their taxes. This is the same Congress in the 1980's that removed the tax deductions for average individuals for buying regular medical care policies. If we are going to do it for the rich, then we need to do it for everyone who buys any type of health care policy. Let us make all health care premiums deductible and not just those for the rich.

#### HOUSE SET TO ELIMINATE BILINGUAL VOTING BALLOTS

The SPEAKER pro tempore. Under the Speaker's announced policy of May 12, 1995, the gentleman from Wisconsin [Mr. ROTH] is recognized during morning business for 5 minutes.

Mr. ROTH. Mr. Speaker, later today the House Judiciary Committee will mark up legislation repealing the federally mandated law which requires bilingual voting ballots. It is about time this action was taken.

In the United States today there are some 375 voting districts across this country that require the printing of ballots in foreign languages.

In theory, these services should not be needed at all. Voting rights are extended to American citizens and, by law, English is a requirement for citi-

zenship in this country. In 1905 this Congress passed a law that said that in order for one to be a citizen and to vote, one had to have a working knowledge of the English language, so we should not even be providing government services in direct contradiction to the spirit of the law.

So I think this legislation which is before the Committee on the Judiciary today is preeminently legislation that we should be addressing now and should also be voting on this session of the Congress. These services of bilingual ballots are very expensive and unnecessary. By and large, multilingual ballots are rarely requested and even less often used than they are anticipated.

In one recent election in California, it cost something like \$100 per ballot that was used. So not only are bilingual ballots in contradiction to the present law, the spirit of the law, but also they cost the taxpayers one heck of a lot of money.

These ballots have other, more serious costs associated with them, too. For example, providing these special services creates the fiction that newcomers in this country can enjoy all the benefits of citizenship without learning the language of the land.

It is important to remember that if one wants to be successful and have their children be successful in our country, that the new Americans I think realize more than anyone else that the ladder of opportunity, the rungs of that, are the English language. Because in order for one to read a want ad, in order for one to fill out applications, in order for one to become integrated into the society, English is extremely important. One cannot become successful unless one has a good understanding of the English language. I think reality tells us that this is true.

Also, exercising one's rights of citizenship involves more than just casting a vote. It means making a thoughtful decision regarding the issues and the candidate. Multilingual voting ballots give individuals the right to vote without granting them the power to cast an informed vote. How can a person who is not versed in at least a working knowledge of the English language take part in the political campaign, listen to the debates, listen to the issues and therefore cast an informed ballot?

Mr. Speaker, multilingual ballots are another vestige of the 1960's obsession with the Great Society and the caretaker state in the 1960's, when we had the Great Society and government was going to do everything for everybody. Now this vision of government is bankrupt and we must dismantle the legislative relics of that era. That is why the legislation which is only a first step that is being taken up in the Committee on the Judiciary today is so important, because it is getting us back on the track of commonsense government again.

# THE 104TH CONGRESS IS LEAST PRODUCTIVE SINCE WORLD WAR II

The SPEAKER pro tempore. Under the Speaker's announced policy of May 12, 1995, the gentlewoman from Connecticut [Ms. DELAURO] is recognized during morning business for 5 minutes.

Ms. DELAURO. Mr. Speaker, today is BOB DOLE's last day in the U.S. Senate. I would like to salute the legacy of outstanding public service that BOB DOLE has given to this great country of ours.

While it is his last day, I truly do understand why he would like to depart the Congress of the United States. If we take a look at what has occurred in the 104th Congress, we can get some idea why anyone would want to distance themselves from this failed 104th Congress.

The gridlock strategies that have been imposed by the Speaker of the House, Mr. GINGRICH, have led to the dubious distinction for the GOP-controlled 104th Congress as the least productive Congress since World War II. By any measure, the 104th Congress has been a failure.

This lack of productivity of this Congress has been noted by neutral commentators. Helen Dewar of the Washington Post has written, "Their ambitions have far outstripped their legislative achievements, resulting in one of the least productive sessions in modern history, a session long on promise and short on results." Similarly Kevin Phillips, who is a partisan, a Republican analyst, has noted, "The 104th Congress may be the worst in 50 years."

First we can examine the number of bills that have been enacted, and as of June 11 this Dole-Gingrich Congress has enacted a total of 150 public laws, the lowest total at this point in the Congress going back to World War II. Second, not only have they failed to pass a number of laws, but what they have succeeded in doing is doing harm to men, women, and children in this country.

If we do not want to take a look at the numbers and numbers of laws that have been passed, that is fair. But what we do need to do is take a look at policy, and what kind of policy have they implemented and what kind of policy have they tried to derail. Let us take a look at that. By pursuing an extremist agenda, the Dole-Gingrich Congress has failed to deliver any kind of results to the American people.

Specifically, no health insurance reform, no minimum wage increase, no balanced budget, no expansion of access to educational opportunity, as a matter of fact, cutting off avenues of educational opportunity to young men and women in this country and cutting a school loan program. I could not have gone to college without student loans. Why do others who have them and had them in coming here want to let them go for others in this country? No welfare reform. No tax cuts. No improvements in pension security, and no improvements in environmental protection.

Let me tell my colleagues one specific area in which they will do and are contemplating doing great harm to the American public, and that is in the area of Medicare and Medicaid, hurting seniors in this country. All they are asking, after a lifetime of work and playing by the rules, is a decent and a dignified and a secure retirement.

Today on this floor we will discuss a budget resolution that has come back after being debated by the House and the Senate, and the stakes are high in this debate today because Medicare and Medicaid are going to be cut in a sweeping way if the Republican majority has its way, if Mr. GINGRICH has his way. Today 37 million seniors depend on Medicare, and we in the Congress have a solemn obligation to make sure that they can count on it. Medicare must be protected.

Medicare and Medicaid once again are on the chopping block, with a \$168 billion cut in the Medicare Program, \$72 billion in the Medicaid Program. Let me just say that today 99 percent of our seniors are covered through the Medicare Program. They have health insurance because of Medicare.

□ 0945

There are people here who would tell you they are not going to cut this program, and in fact that is precisely what they are going to do. They are going to remove the restrictions that are now placed on doctors and hospitals, where they cannot overcharge seniors. Those will be gone.

I implore the American public, listen to the debate today, and do not allow this Gingrich Congress to do harm to seniors in this country.

## RECESS

The SPEAKER pro tempore (Mr. SHAW). Pursuant to clause 12 of rule I, the House stands in recess until 10 a.m.

Accordingly (at 9 o'clock and 45 minutes a.m.), the House stood in recess until 10 a.m.

□ 1000

## AFTER RECESS

The recess having expired, the House was called to order by the Speaker at 10 a.m.

The Reverend Dr. Donald F. Christian, Office of the Bishop, Evangelical Lutheran Church in America, Washington, DC, offered the following prayer.

Almighty God, You are the giver of all that is good and the provider of all that is needed, so we offer our gratitude this day for Your many gifts and blessings. For the diversity of Your created order seen all about us in the animal, vegetable, and mineral worlds, for the beauty of life which can be observed in plants, the places, and the people of Your kingdom, our voices join together to proclaim our gratitude. Yet, we must also confess that we have sometimes allowed Your gift of

diversity to divide us and thereby allow animosity, hatred, and even bigotry to enter our lives and Your world. We acknowledge, that our sometimes frantic activity has permitted us to be less than grateful for nature's beauty of color and its symphony of music provided without cost to one and all alike. Good Lord, forgive us. So, we begin this day, with bowed heads and humble spirits accepting our dependency upon You, offering our gratitude for Your kindness, and seeking mercy for our shortcomings. Amen.

## THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

Mr. TRAFICANT. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER. The question is on the Chair's approval of the Journal.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. TRAFICANT. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Pursuant to the provisions of clause 5, rule I, further proceedings on this question are postponed.

The point of no quorum is considered withdrawn.

## ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain fifteen 1-minutes on each side.

## LET US GET TO THE TRUTH NOW ABOUT WHY THE WHITE HOUSE OBTAINED FBI FILES ON 349 REPUBLICANS

(Mr. BOEHNER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BOEHNER. Mr. Speaker, by now we all know about the White House's FBI files, background files, on some 349 Republicans here in Washington. A couple of them happened to be staffers that work for me. Now, only the White House knows why they asked for these files, and only the White House knows what they have done with these files over the last several years.

Mr. Speaker, I think it is time for the White House to come clean, to work with the FBI so that we have no more coverups, and that we get to the bottom of this truth on this issue now, not after the election in November.

AFRICAN-AMERICAN CHURCH  
ARSON

(Mrs. CLAYTON asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. CLAYTON. Mr. Speaker, there have been 32 suspicious fires at African-American churches across the United States since 1995. It is time for Congress to stand up and speak out.

Last Thursday, when the Matthews-Murkland Presbyterian Church in Charlotte, NC, became another one of the churches to be burned over the past 18 months, the shock and amazement of this deed left me dazed and numb.

How could anyone violate what is most precious to our society? That is why I want to urge all of my colleagues to use this week to rise in swift and resounding voices to condemn this evil and to demonstrate that it will not be tolerated.

First, we should all support the bipartisan legislation introduced by our colleagues, Mr. CONYERS and Mr. HYDE. That legislation would make it easier to bring prosecutions and stiffen the penalties against those who target houses of worship.

Second, I would urge support for a resolution I am introducing, calling on the collective outrage of Congress and condemning the arson. And, finally, we should all, work within our respective communities to help prevent future arson.

There is a time to keep silence and a time to speak. Now is a time to speak.

THE ANSWERS AND EXCUSES, MY  
FRIENDS, ARE BLOWING IN THE  
WIND

(Mr. FUNDERBURK asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FUNDERBURK. Mr. Speaker, how many FBI files must a President search before he becomes a President? The answers and excuses, my friends, are blowing in the wind, the excuses are blowing in the wind.

How long must 341 files be kept until the Clinton administration has a chance to read them? The answers and excuses, my friends, are blowing in the wind, the excuses are blowing in the wind.

How many White House employees does it take to gather an enemies list? The answers and excuses, my friends, are blowing in the wind, the excuses are blowing in the wind.

Finally, how long does it take before the Clinton administration puts an end to all the coverups? The answer, Mr. Speaker, appears to be blowing in the White House wind.

OUR VETERANS DESERVE BETTER  
THAN EMPTY REPUBLICAN  
RHETORIC

(Mr. FILNER asked and was given permission to address the House for 1

minute and to revise and extend his remarks.)

Mr. FILNER. Mr. Speaker, for over 50 years veterans' programs and benefits have been viewed as matters far too important for partisan bickering. Democrats and Republicans worked together to create the most generous and successful array of veterans' programs in the world.

Unfortunately, this bipartisan tradition supporting veterans' matters is in the process of being destroyed by our colleagues on the other side of the aisle. We have all heard and read the rhetoric put out by our Republican colleagues asserting their strong support for our Nation's veterans, and they have implied that President Clinton does not care about veterans; in fact, that he would balance the budget on the backs of veterans.

But, Mr. Speaker, let us look at the facts. The Republican budget that has been presented for fiscal year 1997 slashes the President's request for veterans' funding by \$573 million. Our Nation's veterans deserve better than empty Republican rhetoric. They have more than earned our real support and respect.

Mr. Speaker, let us quit playing games with this special group of citizens and get down to the hard work of establishing and maintaining meaningful programs and benefits for our veterans.

IT MAKES YOU WONDER, DOESN'T  
IT?

(Mr. HEFLEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HEFLEY. Mr. Speaker, during the 1992 campaign, Bill Clinton was asked to sign a waiver that would have authorized the FBI to make public any files that revealed his anti-Vietnam war activity. He refused. In fact here is what his press secretary said at the time: "It's a personal file. He's not going to do it."

But after the election, after Bill Clinton was in the White House, suddenly all of his anxieties about looking through other people's FBI files disappeared into thin air. Someone at the White House authorized a search of 341 Reagan and Bush administration employees, including James Baker, the Secretary of State.

So, let me get this straight. The President who was morally indignant at anyone wanting to look at his FBI file, is now looking through the FBI files of his political opponents.

It makes you wonder, doesn't it, Mr. Speaker?

ANNOUNCEMENT BY THE SPEAKER  
PRO TEMPORE

The SPEAKER pro tempore (Mr. WALKER). The Chair reminds Members that they are not to use personal references to the President of the United States.

WHITE HOUSE MISTAKENLY  
OBTAINS SECRET FBI FILES

(Mr. TRAFICANT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TRAFICANT. The White House said they made a mistake when they improperly obtained secret FBI files on 339 Americans who just happened to be friends of Mr. Reagan and Mr. Bush. Mistake? Who is kidding whom here? This was a deliberate political act. It is disgusting. It is wrong.

But what really grabs me is how many ways can you destroy a family? Billy Dale, the boss of the travel office, targeted, fired, acquitted in less than 90 minutes. Shame, ladies and gentlemen. Whether it is a Democrat or a Republican, anyone who uses the power of the FBI and the IRS to target political opponents is not only wrong, they may have committed a crime.

There should be an investigation. And, as a Democrat, I say when we play partisanship with political machinations like this, we throw the Constitution out.

WHITE HOUSE "SO WHAT"  
RESPONSE

(Mr. WATTS of Oklahoma asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WATTS of Oklahoma. Mr. Speaker, it was reported over the weekend that the Clinton administration had used the FBI to obtain the confidential records of former Reagan and Bush administrations employees. The White House passed this off as a mere bureaucratic mistake; an oversight not to be repeated; really, just a small matter that is not worthy of a serious examination.

Mr. Speaker, I long ago stopped trying to figure out the Clinton administration. Their response to any accusation of improper or illegal activity is always the same: So what.

It goes something like this; Whitewater, so what. Troopergate, so what. Cattle futures, so what. Travelgate, so what. Cabinet members resigning in disgrace, so what. Twenty-two White House officials with legal defense funds, so what. Paula Jones, so what.

Mr. Speaker, the White House's "so what" response to the improper or illegal use of the FBI only confirms that they are hiding something from the American people.

REPUBLICANS SERVING WARMED-  
OVER VERSION OF REJECTED  
MEDICARE PLAN

(Ms. WOOLSEY asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. WOOLSEY. Mr. Speaker, I, for one, give the new majority credit for



finding creative things to do with cold leftovers.

You see, the budget they're serving today is nothing but a warmed-over version of the same misplaced priorities that the American people rejected last year.

Take away the sugarcoating, and you've got crucial education programs targeted for deep cuts or elimination.

Minus the garnish, you've got a Medicare plan that will make seniors pay more for less, while their hospitals close.

And, when you remove the trimmings on their budget, you end up with huge tax breaks for the wealthy special interests we simply can't afford.

Mr. Speaker, this is not a blueprint for balancing the budget—it's a recipe for disaster. So, I say to the new majority: Keep your cold leftovers.

It's time to give the American people what they want—a balanced budget that moves our Nation forward without leaving behind those who depend on us most—our children, seniors, families, and our environment.

#### ANOTHER CLINTON SCANDAL BREWING: FBI FILES RAIDED

(Mrs. SEASTRAND asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. SEASTRAND. Mr. Speaker, the paper shredders over at the White House are abuzz with activity. Yet another Clinton scandal is brewing involving a coverup and the abuse of power.

Evidently, the Clinton administration raided the FBI files of 341 Bush and Reagan employees. Not only were these people investigated, but their files were kept inside the vault of the White House security office.

Information gleaned from these files was passed along to Clinton appointee Craig Livingstone, whose boss was Associate Counsel William H. Kennedy, a former Rose law firm partner with Hillary Clinton.

Mr. Speaker, why did the White House want these files? What kind of information were they after? Are there other people who were investigated?

In 1992, Bill Clinton refused to make public any FBI files about his anti-Vietnam activity. But as President he has no reservations whatsoever about raiding the FBI files of his Republican opponents.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair again reminds Members that personal references to the President are not supposed to be made.

#### REPUBLICAN MEDICARE PLAN: SECOND VERSE, SAME AS THE FIRST

(Mr. GENE GREEN of Texas asked and was given permission to address

the House for 1 minute and to revise and extend his remarks.)

Mr. GENE GREEN of Texas. Mr. Speaker, here we have the second verse same as the first but with a lower in tone.

Mr. Speaker, the Republican majority is continuing its attack on Medicare. Last year they wanted to cut the growth in Medicare \$270 billion and provide for a tax cut of \$245 billion. While they still have their sights set a little lower this year, they still want to cut Medicare \$168 billion.

□ 1015

Now they say that it is cutting Medicare or that it is cutting the growth of Medicare, but again let us reason that if you have more people getting to be 65 and people 65 living longer, you have to have growth even more than inflation that they say. At the same time they want to give this tax cut of \$176 billion only to some of the wealthiest. For the second year in a row the Republican majority is using the trustees' report to talk about how bad they need to do it.

If Medicare is in trouble, then let us take that savings and plow it back into Medicare, and not use it to give tax cuts or to balance the budget. I hope that our Republican majority will change their second verse.

#### THE CARE FOR HUMAN LIFE IS THE OBJECT OF GOOD GOVERNMENT

(Mr. STEARNS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. STEARNS. Mr. Speaker, I had a town meeting Saturday in Hampton, FL, and Janice Sanford was there at the town meeting and she gave me hundreds of petitions dealing with the partial-birth abortion veto by the President. President Clinton has once again demonstrated that he favors legal, unrestricted, and easily available abortions on demand, even in the ninth month of pregnancy.

Mr. Speaker, Thomas Jefferson once said,

The care of human life and happiness, and not their destruction is the first and only legitimate object of good government.

I share this commitment to actively support legislation that sustains the Federal Government's traditional goals in family planning.

Members of both Houses of Congress already voted to promote these goals when we said no to partial-birth abortions. I strenuously oppose President Clinton's veto of the ban, and urge my colleagues to say no once again when we have the opportunity to override this veto.

Once again, I congratulate Janice Sanford for her active efforts to demonstrate this by the petition she gave me last Saturday.

#### AMERICA NEEDS A NEW GARDENER

(Mr. DOGGETT asked and was given permission to address the House for 1 minute.)

Mr. DOGGETT. Mr. Speaker, America needs a new gardener. When Speaker GINGRICH insists that Medicare should be permitted to wither on the vine, it is time to find a gardener who knows the difference between strengthening Medicare and allowing it to shrivel.

That is not EverGrow that Speaker GINGRICH is proposing to pour on the vine of Medicare; it is the salt of neglect, of decades of neglect of the health care security of American families. That is not a green thumb that the Speaker is offering; it is the darkened green thumb of neglect of the health care security of American families.

Mr. Speaker, we should focus on the Medicare trustees' report, for the real issue is trust. Should we trust the people who want to let Medicare shrivel on the vine, or should we trust those who overcame the opposition of BOB DOLE and the Republicans of that era to build Medicare into a garden whose fruits of health care security are available to every American?

#### PERMISSION FOR SUNDRY COMMITTEES AND THEIR SUBCOMMITTEES TO SIT TODAY DURING 5-MINUTE RULE

Mr. HEFLEY. Mr. Speaker, I ask unanimous consent that the following committees and their subcommittees be permitted to sit today while the House is meeting in the Committee of the Whole under the 5-minute rule: Committee on Agriculture; Committee on Banking and Financial Services; Committee on Commerce; Committee on Economic and Educational Opportunities; Committee on Government Reform and Oversight; Committee on International Relations; Committee on the Judiciary; Committee on Resources; Committee on Transportation and Infrastructure; Committee on Veterans' Affairs; and the Permanent Select Committee on Intelligence.

It is my understanding that the minority has been consulted and that there is no objection to these requests.

The SPEAKER pro tempore (Mr. WALKER). Is there objection to the request of the gentleman from Colorado?

There was no objection.

#### REPORT ON H.R. 3610, DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 1997

Mr. YOUNG of Florida (during consideration of H.R. 2909) from the Committee on Appropriations, submitted a privileged report (Rept. No. 104-617) on the bill (H.R. 3610) making appropriations for the Department of Defense for the fiscal year ending September 30, 1997, and for other purposes, which was



referred to the Union Calendar and ordered to be printed.

The SPEAKER pro tempore (Mr. WALKER). All points of order are reserved on the bill.

#### CORRECTIONS CALENDAR

The SPEAKER pro tempore. This is the day for the call of the Corrections Calendar.

The Clerk will call the bill on the Corrections Calendar.

#### SILVIO O. CONTE NATIONAL FISH AND WILDLIFE REFUGE EMINENT DOMAIN PREVENTION ACT

The Clerk called the bill (H.R. 2909) to amend the Silvio O. Conte National Fish and Wildlife Refuge Act to provide that the Secretary of the Interior may acquire lands for purposes of that act only by donation or exchange, or otherwise with the consent of the owner of the lands.

The Clerk read the bill, as follows:

H.R. 2909

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Silvio O. Conte National Fish and Wildlife Refuge Eminent Domain Prevention Act".

#### SEC. 2. RESTRICTION ON METHOD OF ACQUISITION OF LANDS FOR PURPOSES OF THE SILVIO O. CONTE NATIONAL FISH AND WILDLIFE REFUGE ACT.

Section 106 of the Silvio O. Conte National Fish and Wildlife Refuge Act (Public Law 102-212; 16 U.S.C. 668dd note) is amended by adding at the end the following new subsection:

"(e) RESTRICTION ON METHOD OF ACQUISITION.—The Secretary may acquire lands for purposes of this title only by donation or exchange, or otherwise with the consent of the owner of the lands."

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey [Mr. SAXTON] and the gentleman from Massachusetts [Mr. STUDDS] will each be recognized for 30 minutes.

The Chair recognizes the gentleman from New Jersey [Mr. SAXTON].

MODIFICATION OFFERED BY MR. SAXTON

Mr. SAXTON. Mr. Speaker, I ask unanimous consent that on page 2, line 5 of the bill, the word "Emminent" be corrected to read "Eminent."

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. SAXTON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 2909, the Silvio O. Conte National Fish and Wildlife Refuge Eminent Domain Prevention Act, was introduced by Congressman CHARLES BASS on January 31, 1996. The bill directs the Secretary of the Interior to acquire lands for the Silvio O. Conte Refuge only with the consent of the landowner. Unlike many refuges, the Conte refuge spans four States—Vermont, Connecticut, Massachusetts,

and New Hampshire. Landowners surrounding the refuge are concerned that eminent domain will be used to condemn their properties, so the Fish and Wildlife Service will be able to purchase the properties without the owners' consent. At the subcommittee's legislative hearing, the Fish and Wildlife Service did acknowledge that there is precedent for similar willing seller language already set in law. The Service also maintains that it does not intend to use eminent domain as a land acquisition tool for the Conte Refuge. That being the case, codifying this prohibition into statutory language would not adversely affect Fish and Wildlife Service operations. It would, however, serve the useful purpose of quelling landowner concerns.

I urge an "aye" vote on this bill in support of property owners' rights.

Mr. Speaker, I reserve the balance of my time.

Mr. STUDDS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, believe it or not, I rise in opposition to H.R. 2909, because it is both an example of bad policy and bad process. When the Corrections Day Calendar was originally proposed, it was touted as a way to address bureaucracy that is particularly dumb, or to address obviously silly, redundant Government regulations in a rapid fashion. H.R. 2909 does not address silly Government regulations or bureaucracy, it addresses one of the fundamental powers granted to the Federal Government by the Constitution—the power of eminent domain. Supporters of this bill may claim that it is about protecting private property. But there is a world of difference between uncompensated takings of private property and the rare and judicious use of eminent domain to acquire private property, for fair market value, to protect public wildlife resources.

The Corrections Day Calendar was ostensibly created to expedite the passage of noncontroversial, bipartisan legislation. This legislation is controversial. I and a number of my colleagues on the Resources Committee oppose it. The administration opposes it. And environmental groups such as the Sierra Club, the Wilderness Society, and the Audubon Society oppose it. Lastly, I believe that if our late friend and colleague, Silvio Conte, were alive today, he would join me in opposing this legislation. Since the Fish and Wildlife Service has no intention to use eminent domain to acquire land for the refuge, H.R. 2909 is a solution in search of a problem.

It is my understanding that corrections day legislation should be narrow in scope. But, since H.R. 2909 sets a bad precedent for the entire 92 million acre National Wildlife Refuge System, it is much broader in scope than the problem it purports to address.

The Corrections Day Calendar was never intended to circumvent the committee process. However, the Corrections Day Advisory Group considered

H.R. 2909 for placement on the Corrections Day Calendar a month and a half before the Resources Committee reported the bill.

The Silvio Conte National Fish and Wildlife Refuge represents a new kind of wildlife refuge that will protect a total of 78,000 acres using a combination of conservation easements, cooperative agreements, and cost-sharing partnerships. This approach minimizes the need for Federal land acquisition: Only about 6,500 acres, spread over the States of New Hampshire, Vermont, Connecticut, and Massachusetts, will be under Federal ownership. And how is this innovative approach rewarded? By the adoption of punitive legislation that restricts the ability of the Fish and Wildlife Service to protect public wildlife resources when they are threatened.

The Fish and Wildlife Service is entrusted with the power of eminent domain to acquire lands for the greater public good. Although eminent domain authority is a tool of last resort for the Service, without it there is ultimately no way to protect land already purchased with taxpayer dollars from adjacent harmful development or to prevent the destruction of critically important wildlife habitat. If we deny the Service this tool, we make it that much more difficult to protect effectively the public interest in habitat conservation.

Furthermore, this bill exclusively ties the hands of the Federal Government in protecting the public interest in fish, game, and wildlife habitat. I am not aware of any attempts to restrict eminent domain authority when it is applied to highways, dams, or other public works projects in New England. In establishing a differential standard for application of the power of eminent domain, H.R. 2909 relegates wildlife habitat protection to second-class status. That is wrong.

For these reasons, I oppose H.R. 2909 and feel that it was inappropriately placed on the Corrections Calendar. I urge the House to reject this legislation.

Mr. Speaker, I reserve the balance of my time.

Mr. SAXTON. Mr. Speaker, I yield such time as he may consume to the gentleman from New Hampshire [Mr. BASS].

Mr. BASS. Mr. Speaker, I rise in support of this piece of legislation. I would like to thank the gentleman from New Jersey [Mr. SAXTON] and the gentleman from Alaska [Mr. YOUNG] for moving this bill promptly, in an expeditious fashion. I believe that their understanding of the time-sensitive nature of this matter in allowing H.R. 2909 to move in an expeditious manner is important.

Mr. Speaker, simply put, as we have heard, this bill will smooth the road for the creation of the Silvio O. Conte Refuge by reassuring local residents, and folks who live in the affected areas, that their land will not be taken by

eminent domain as a result of efforts to create this very important refuge.

The Conte refuge was established in 1991, and subsequently went through 4 years of hearings and input. The result of the plan, which seeks to protect the entire Connecticut River Valley from its headwaters in northern New Hampshire to the area in southern Connecticut where it flows into the Atlantic Ocean, is the scope of the bill.

In undertaking this task, the Fish and Wildlife Service has identified virtually all water sources that empty into the Connecticut as potential areas to protect. Consequently, nearly 50 percent of my district, which is a large rural district, and clearly close to half of the district of the gentleman from Vermont [Mr. SANDERS], will be potentially affected by this refuge, including, I might add, many major metropolitan areas, cities, towns, rights-of-way and so forth.

Mr. Speaker, it is important to realize that the Connecticut River, which flows through many diverse regions of New England, has many different characteristics in different areas. I might use the analogy, if I could, to the shape of an oak tree in describing the Connecticut River.

Like any river, near its mouth on the Long Island sound it is like a pencil line, but as it gets farther north it branches out and branches out and branches out until finally up in Coos County, and in Essex County over in Vermont, it covers the entire county. In my district, half of Grafton County, all of Sullivan County, and all of Cheshire County. It is a huge area which it covers.

Mr. Speaker, I am not here today to take issue with protecting the Connecticut River. It is a very important project, and I fully support the Silvio O. Conte Wildlife Refuge. However, I feel that there are efforts that need to be undertaken in order to assure that there is cooperation between not only the folks that live along the river's edge and will be affected, and as I said it is more than just folks living along the edge of the river, but also the respective legislatures in New Hampshire and Vermont and potentially Connecticut and Massachusetts.

There have been bills introduced in New Hampshire that would create considerable restrictions on the ability of the Fish and Wildlife Service to effect this important refuge project, and it is all based upon the fact that there is fear on the part of landowners that the Fish and Wildlife Service will use their eminent domain power to take property unnecessarily away from people who are trying to make a living off of it.

Mr. Speaker, the fact remains that this is not good for the future creation and growth of the wildlife refuge, but it is also not good for farmers and other individuals who depend, and have depended now for generations, upon the land to make a living.

Mr. Speaker, I would also point out that the gentleman from Massachu-

setts [Mr. STUDDS], my good friend, has pointed out that this bill does not qualify or may not qualify for the Corrections Day Calendar. I would point out that this bill codifies U.S. Fish and Wildlife's intent using statutory authority of eminent domain for the purposes of the refuge. The potential financial burden, underlined, of large scale eminent domain takings could be high on the taxpayers of America.

The refuge plan represents a new approach by the U.S. Fish and Wildlife Service in that it does not have well-defined boundaries. It is not an island or specific area, it is a watershed. Therefore, areas that could be affected by eminent domain are ambiguous.

The bill protects the average family and small business by ensuring that the U.S. Fish and Wildlife Service does not arbitrarily take their land for the purposes of a refuge that is not clearly defined. And, last, the bill promotes the well-being of everyone by removing one of the final stumbling blocks to the successful creation of this refuge to protect the Connecticut River for all of New England.

Mr. Speaker, I would also point out that there is ample precedent for this change in the law. There are 33 different precedents in law in which eminent domain as a mechanism for acquiring land has been inserted; I think the most notable of which is the wildlife refuge in Massachusetts known as the Atchafalaya, or something like that, wildlife refuge in which the exact same language is in law there.

Mr. Speaker, I would point out that as one who supports the Silvio O. Conte Wildlife Refuge, as one who was personally acquainted with Congressman Silvio O. Conte, I would take issue with my distinguished colleague from Massachusetts and I would say that Congressman Conte would have wanted to see the wildlife refuge developed with the full cooperation and consent of the Federal Government, Congress, as well as the people who would be affected by this wildlife refuge.

Now, as a former State senator and a member of the legislature in New Hampshire, I was pleased to have sponsored shoreline protection legislation in New Hampshire, rivers protection laws in New Hampshire, as well as serving 2 years on the Land Conservation Investment Program, which is a program similar to what is envisioned by Silvio O. Conte Wildlife Refuge, in which \$50 million was allocated to protect key pieces of real estate that are environmentally sensitive and important for the State of New Hampshire.

□ 1030

Not once did we, we did not have eminent domain in the law obviously, and we never needed it. The fact is we do not need to have the hand of Federal Government taking people's property away from them against their will when there is plenty of property available and more than the Federal Government will ever have the money to purchase to begin with.

What we need here is cooperation, which is in the New Hampshire tradition, and I think in the tradition that will be beneficial to the creation and long-term preservation of this very important ecosystem, the Connecticut River.

Mr. STUDDS. Mr. Speaker, in the spirit of corrections, let me say to the gentleman from New Hampshire, the Atchafalaya Refuge is in Louisiana, which is a very long way from Massachusetts and New Hampshire. May I also say that things must be blissful indeed in the Granite State if the biggest thing you have to worry about is the specter of the Federal Government grabbing an acre in the name of Silvio Conte. I think it must be a lovely existence you have up there. Some of us can think of real problems that need solutions.

Mr. Speaker, I yield 2 minutes to the gentleman from Connecticut [Mr. GEJDENSON].

Mr. GEJDENSON. Mr. Speaker, when this new Congress led by its antienvironmental zealots came here, they said they were going to do business in a new way. And sure enough, we find business in a new way. We solve problems that do not exist. What we have here is not simply an assault on the Federal Government or an opportunity to try to create barriers to protect what I think virtually all of our citizens recognize is a heritage that we want to pass on to our children and grandchildren, but what we have is an attempt to hobble the Government from being able to defend itself. Should we have a refuge area and suddenly someone comes in and has a pollution problem that they refuse to remedy, the Federal Government would have no legal ability to enjoin that action. They would have to sit by and watch the entire refuge be decimated because we are about to take away the legal rights that Government has always had from time immemorial.

I guess I am somewhat confused. If we are fighting the Civil War over again on States rights, then it seems to me that maybe we ought to have a real bill that just disbands the Federal legislature. But if we are going to continue to have a Federal role, and let me assure you that many of these States with this anti-Federal attitude come rushing here for Federal resources, much as the Freeman did for their farms. We do have one country; do we not? National resources are worth protecting. What we are going to do here is not so much protecting any individual or State right. What we are doing is taking action to prevent something that is virtually never used but to ensure that, if Federal land is in the process of being degraded, the Federal Government will have no legal ability to protect its investment and the taxpayers' investment.

Mr. SAXTON. Mr. Speaker, I yield myself 1 minute.

I just would like to say to the gentleman from Connecticut that I am

kind of surprised hearing his opposition this morning, particularly since the gentleman is from the State of New Jersey and inasmuch as the chairman of the full committee, the gentleman from Alaska [Mr. YOUNG], offered the gentleman an opportunity to take Connecticut out of this bill. So it surprises me that the gentleman declined the opportunity to take Connecticut out of the bill, saying that apparently Connecticut ought to be included. And now the gentleman is opposed to the bill. I do not understand, Mr. Speaker.

Mr. STUDDS. Mr. Speaker, if the gentleman will promise to be nice, I yield 2 minutes to the gentleman from Connecticut [Mr. GEJDENSON].

Mr. GEJDENSON. Mr. Speaker, I think that this is an important principle. Frankly, if I did not think it would violate that principle, I would have been happy to accept an agreement to exempt Connecticut. I would be happy to accept that.

Mr. SAXTON. Mr. Speaker, if the gentleman will yield, let me reoffer, we have decided on our side that we are happy to grant the gentleman unanimous consent to take Connecticut out.

Mr. GEJDENSON. Mr. Speaker, if the gentleman will ask unanimous consent to exempt Connecticut, I will accept that exemption.

Mr. SAXTON. Mr. Speaker, it is the gentleman's State. I will not ask unanimous consent.

Mr. GEJDENSON. I will ask unanimous consent to exempt Connecticut from the bill.

The SPEAKER pro tempore. The gentleman will have to have his unanimous-consent amendment in writing.

Mr. GEJDENSON. Mr. Speaker, I will return.

Mr. STUDDS. Mr. Speaker, if I may briefly observe, before yielding to my colleague from Massachusetts, I look forward with great anticipation to the gentleman on the other side offering analogous language on all future public works and highway bills so that the power of eminent domain may not be waived to frighten the good people of New Hampshire or of any other State.

Mr. Speaker, I yield 5 minutes to the gentleman from Massachusetts [Mr. OLVER] who holds the seat once held by out late esteemed colleague, Silvio Conte, who, if he were here today, I suspect would be in the well with a pheasant or a moose mocking all of us.

Mr. OLVER. Mr. Speaker, today I rise as the Member of Congress who has had the honor of following in office one of the greatest Members of this body in this century on his legacy of environmental protection and conservation for the people of the first district of Massachusetts.

Out of all of Silvio Conte's great successes and legislative accomplishments, perhaps his legacy of conservation is what he will be remembered for more than anything else. Which is what makes the Conte Fish and Wildlife Refuge so fitting for this man who has had such a tremendous impact on the people of the Connecticut River Valley.

Sil Conte was a sportsman and a conservationist and he understood the interrelationship between the two.

He knew that, like most resources, you can't just continue to draw from it without renewal and continual reinvestment.

That's what conservation is all about.

Silvio Conte's favorite pastimes included fishing and bird watching. And he knew that as a Member of this body, he was in a position to ensure that future generations would have that opportunity.

Sil Conte was wise enough to know that waterfowl and other migratory birds, as well as anadromous fish, know no boundaries or man-made borders.

Which is why the bill before us today is a sneak attack on the concepts of conservation. This bill permanently removes the authority of the Fish and Wildlife Service to prevent activities that negate the purposes of the refuge.

After 130, yes, 130, public meetings, the 3 Members sponsoring this legislation, and the 7 from Massachusetts and Connecticut even more affected by it, know perfectly well that the Fish and Wildlife Service is keenly aware of the concerns that this bill aims to address.

We also know that the Service cannot proceed effectively to secure the purposes of Public Law 102-212, the Silvio Conte National Fish and Wildlife Refuge Act, without full cooperation from private citizens.

The cooperative arrangements the Conte Refuge includes is what makes this refuge a model for the National Wildlife Refuge System.

The problem with this bill is that it forever ties the hands of the Fish and Wildlife Service in its management in carrying out its responsibilities.

This bill mocks the constitutional protections already provided against takings. The Constitution was not meant to be offered a la carte. We can't just pick the sections we like and ignore those we don't care for.

The people of the first district are fiercely independent in the proud Yankee tradition. However, they also have a proud tradition in believing in government and the good that it can do.

The Connecticut River is today swimmable and boatable because the Federal Government took action under the Clean Water Act back in 1972.

When we passed the Silvio Conte fish and wildlife legislation we affirmed the purposes of conserving, protecting, and enhancing important fisheries habitat, important wetlands, and other habitat for a broad variety of plants and wildlife.

These species are held in the public trust. The public trust depends on the Federal Government to act as its guardian. I believe that the people in my district depend on the Fish and Wildlife Service to guide the protection of the natural environment.

The choice is simple. You can either vote with those who have been swayed by rumor and distrust of the Federal Government. Or you can vote for the environment, for the refuge, and for its inhabitants—the 2 million people but also the black bear, moose, the bald eagle, red fox, bobcat, coyote, beaver, lynx, salmon, shad, striped bass, herons, egrets, piping plover, osprey, and the kingfisher.

And so today we're again faced with making choices for the Silvio Conte Refuge. It is a refuge. Let it live out the true meaning of its name.

And as for its namesake, let the refuge continue to honor him in the legacy of conservation on which he spent his life's work.

As the Member now serving the first district, the district that Silvio Conte served so well for more than 30 years, I ask that you vote against this bill—so that the House can take up this matter in a more appropriate forum outside of the Corrections Day Calendar.

Mr. SAXTON. Mr. Speaker, I yield such time as he may consume to the gentleman from Connecticut [Mr. GEJDENSON].

AMENDMENT OFFERED BY MR. GEJDENSON

Mr. GEJDENSON. Mr. Speaker, I ask unanimous consent to offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. GEJDENSON: Page 2, line 16, after "lands" insert "in New Hampshire and Vermont".

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Connecticut to amend the bill?

Mr. SAXTON. Reserving the right to object, Mr. Speaker, I do not plan to object. I would like to point out that I am not quite sure what is different about the constituencies that live in the 2 States which will be exempted under this unanimous consent request.

In the case of Mr. BASS' constituents, he is concerned, the gentleman from New Hampshire, Mr. BASS, is concerned that his constituents feel comfortable with the process that will be ongoing. And apparently Mr. GEJDENSON and the gentleman from Massachusetts do not share the same concerns or their constituents do not share the same concerns as to how the process will proceed without the protection which will be eliminated by virtue of this unanimous-consent request.

Mr. BASS. Mr. Speaker, will the gentleman yield?

Mr. SAXTON. I yield to the gentleman from New Hampshire.

Mr. BASS. Mr. Speaker, I would like to associate myself with the remarks of the gentleman from New Jersey but also point out that the nature of the districts through which the Connecticut River runs in Massachusetts and Connecticut is considerably different geographically than that of New Hampshire and Vermont. So as a result, I believe that there is justification for this amendment in that the sheer territory covered by the potential for eminent domain proceedings in Massachusetts and Connecticut is substantially smaller than in New Hampshire and Vermont. I certainly would not object to this amendment.

Mr. SAXTON. Mr. Speaker, continuing my reservation of objection, I would just conclude by saying that inasmuch as the gentleman from Connecticut and the gentleman from Massachusetts apparently do not wish to afford their constituents the same protections that Mr. BASS does, I will not object.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Connecticut to amend the bill?

There was no objection.

The SPEAKER pro tempore. Without objection, the amendment is agreed to.

There was no objection.

Mr. STUDDS. Mr. Speaker, I yield myself such time as I may consume.

I am sorry this debate has gone this long. I would think all of us would be more than a little embarrassed by having devoted the amount of time we have to this matter. There is no problem here that needs solving, none whatsoever.

I am prepared to concede to the gentlemen from over there that New Hampshire and Vermont are larger than Connecticut and Massachusetts. I am prepared to concede for some reason they have a more profound paranoia than southern New England. I could care less whether one State or another is covered. I never mentioned my own State in my own remarks. My objection is to the principle involved here as to whether we will allow the Federal Government to have as a last resort the constitutionally sanctioned provision of eminent domain in the public interest.

I noted with some interest not that it was a particular State or States but that it was only at wildlife legislation, not at highways, not at public works, but the paranoia seems to be finely focused in this instance in the hills of northern New England.

□ 1045

It is beyond me. I do not understand it. I do not know why we have to discuss it here. I do not know why it rises to the level of being considered by this House. I think we should apologize to our colleagues for the amount of time we spent on this. It is more than a little bit silly. No one thinks it is going to become law. It will die in the Chamber of the winds across the hall, and, anywhere else, it will die by other means.

So, Mr. Speaker, with apologies to my brethren and sisters for the amount of time we have taken, I yield back the balance of our time.

Mr. SAXTON. Mr. Speaker, I yield myself such time as I may consume.

A, I do not apologize; and, B, this is not silly. This is a protection of people's right to own property without having to be afraid of Big Brother coming along and taking it from them.

I would say further, Mr. Speaker, that the refuge system, as chairman of the Fish and Wildlife and Ocean Subcommittee, the refuge system is something that I have taken great pains to protect and to enhance the process through which it works. That is why we passed a bill earlier this year to reform the process so that people will want the process to continue to move forward so that they will not be afraid that refuges and refuge managers and the Fish and Wildlife Service will become Big Brother and take over their property.

And so, Mr. Speaker, I do not apologize in any sense of the word, nor do I

believe this is silly. I think it is a very serious issue.

Mr. Speaker, I yield such time as he may consume to the gentleman from New Hampshire [Mr. BASS].

Mr. BASS. Mr. Speaker, I thank the gentleman from New Jersey [Mr. SAXTON] for yielding this time to me, and I would only say that there are, and I have here, precedent after precedent after precedent in public works for the type of exemption that we are talking about in this particular piece of legislation.

What is most significant about this effort is that it is going to help preserve the Connecticut River basin. It is going to create an environment of cooperation amongst all of the parties involved, and all we are saying is that the Fish and Wildlife Service's promise not to use eminent domain in any instance in this particular project, we are going to hold them to their word.

Now, it appears to be important to me that we preserve the Connecticut River basin, but it is also important to me that we protect the rights of landowners and that we prevent this bill, this problem, from slowing the long-term process.

Mr. Speaker, I would also like to ask for unanimous consent that my colleague from Vermont [Mr. SANDERS] be recorded in support of this bill and be allowed to place a statement in the RECORD in support of the bill.

The SPEAKER pro tempore. (Mr. WALKER). Would the gentleman from New Hampshire modify his request regarding a statement in the RECORD? The gentleman cannot have a request that another Member be recorded in favor.

Mr. BASS. A statement in the RECORD, to amend my unanimous-consent request.

The SPEAKER pro tempore. Without objection, that will be covered under general leave.

There was no objection.

Mr. SAXON. Mr. Speaker, there are a couple of Members on the other side who would like to have time at this time. I would be either happy to yield to them myself or to ask unanimous consent to have the gentleman's time restored.

The SPEAKER pro tempore. Without objection, the gentleman from Massachusetts [Mr. STUDDS] can reclaim the balance of his time.

There was no objection.

Mr. STUDDS. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from California [Mr. WAXMAN].

Mr. WAXMAN. Mr. Speaker, I thank very much the managers of this bill for giving me an opportunity to speak, and I do not come here to speak on the substance of the bill, but the process.

When the whole idea of the Corrections Day Calendar was proposed, I raised a lot of concern about it because I thought it might be a vehicle for special interest proposals, for controversial matters cloaked, perhaps, in a cover that maybe they are not as con-

troversial as they otherwise would be perceived to be. I thought my misgivings were misplaced when I went on the corrections day advisory committee and participated in the process where, up to now, we have presented bills that were noncontroversial, bipartisan, clear-cut corrections of Federal law.

But this bill is a controversial matter. It affects the gentleman from Massachusetts, Mr. OLVER's district, and he is opposed to the bill, the administration vigorously opposes it, the gentleman from California, Mr. MILLER, as a ranking Democrat on the Committee on Resources, and the gentleman from Massachusetts, Mr. STUDDS, the ranking Democrat on the subcommittee, oppose the bill; Sierra Club and other environmental groups oppose the bill.

Mr. Speaker, this is not appropriate for the Corrections Day Calendar, and I am very disappointed that this bill has been put on as a corrections day matter. When it came before the corrections day advisory committee, no Democrat was present, there was a ballot vote where the Republicans voted one way and whatever Democrats voted, voted the opposite way.

The Chair of the corrections day advisory committee was advised that this was controversial and that had Democrats been at the meeting, we would have opposed this bill being placed on the Corrections Day Calendar. The fact this bill is on the calendar as a corrections matter undermines the whole idea of the validity of a Corrections Day Calendar. It discredits the work of the advisory group for the Corrections Calendar.

So I wanted to speak out on this issue, opposing this proposal not only in substance, which others can speak more articulately about, but in terms of the process itself.

Mr. STUDDS. Mr. Speaker, I yield 2 more minutes to the gentleman from Massachusetts [Mr. OLVER].

Mr. OLVER. Mr. Speaker, I thank the gentleman for his indulgence. I just wanted to respond to comments made on the other side and, in fact, in part to agree with them.

The gentleman from New Hampshire points out and agrees that the nature of the territory is quite different. Of the 2 million people living in the Connecticut River watershed area that is the subject of the Silvio Conte Fish and Wildlife Refuge Act, 80 percent of them live in Massachusetts and Connecticut, whereas 80 percent of the land involved in that area is in New Hampshire and Vermont, at least 80 percent of the total land area involved. And in terms of the amount of acreage that has been proposed after 3 years of study with hundreds of meetings, all of them public meetings, all over the Connecticut River basin, less than 20 percent of the very tiny amount of land being proposed as possible refuge sites actually occurs in the States involved, in the States of Vermont and New Hampshire. So the territory is very, very different.

In our area, the support for the original language of the Silvio Conte Fish and Wildlife Act is extremely strong and extremely deep, and so for that reason it is appropriate, and we believe that it should certainly be possible, that if there is a critical bog, one of those critical areas under consideration or a critical fish habitat area, that we should not be in a position where one owner may negate the purposes of the protection under the Silvio Conte Fish and Wildlife Refuge Act, one owner may completely negate the purposes of the public interest.

So in that sense this is an appropriate kind of an amendment, and I might point out that there is a very similar case. And I will let the gentleman from Connecticut speak for herself.

Mr. SAXTON. Mr. Speaker, I yield such time as he may consume to the gentleman from New Hampshire [Mr. BASS].

Mr. BASS. Mr. Speaker, I'd just like to say that in response to my distinguished colleague from California, as he well knows, just prior to his arrival here on the floor we did exempt by unanimous-consent amendment the States of Massachusetts and Connecticut, which was so eloquently advocated by my distinguished colleague from Massachusetts, Mr. OLIVER, in mentioning that 80 percent of the people involved by or covered by this wildlife refuge live in the States of Massachusetts and Connecticut, whereas 80 percent of the land is in New Hampshire.

Although just a small portion of the total area has been designated thus far to be part of the wildlife refuge, the fact is that this is an open-ended project, as it should be, and there are, as I recall, some 80,000 acres potentially affected by it. So it does have the potential to become quite a bit more substantial, which is not all that bad.

I would also point out that the New Hampshire Forest Society, the Appalachian Mountain Club and other environmental groups based in New Hampshire strongly support the passage of this legislation.

Mr. SAXTON. Mr. Speaker, I yield 3 minutes to the gentleman from Connecticut [Mrs. JOHNSON].

Mrs. JOHNSON of Connecticut. Mr. Speaker, I have real concerns with this legislation. The Conte Refuge is unique. It is an urban refuge. Its goal was never to be achieved through the acquisition of large tracts of land. Rather, its goal was to restore the Connecticut watershed through partnerships, conservation easements, cooperative agreements, environmental education with the Fish and Wildlife Service providing technical expertise and serving as the catalyst for the effort, and in fact it is moving along very well and holds enormous potential for the whole Northeast as being a very positive contribution to the preservation of our wilderness areas and the quality of our life in the Northeast.

As my colleagues know, we have preservation laws not only to preserve lands, but to preserve historic buildings, and whenever we try to preserve something, people do give up certain rights because preservation carries with it certain responsibilities.

Now, in my district the Appalachian Trail runs right through it, and the Government does have the right of eminent domain, if they need it in that instance, and we had to go through a very painful relocation of a portion of the trail for very good reasons of safety and so on. And in the course of those negotiations with various property owners we were able to negotiate good solutions with all but one, and that one person simply could not see the public interest, but could only see the private interest. And if the Government had not had the right of eminent domain, which they never had to exercise, but if they had not had that right, that citizen would never have been required to stay at the table. And by staying at the table we did finally get a negotiated solution that was satisfactory to the citizen and satisfactory to the Government in terms of achieving the public goal of a safe and beautiful trail across the Eastern Seaboard.

So eminent domain is rarely used by the Government, but it does provide clear and convincing, in a sense, elbow to remind the individual citizen that there is a larger public interest that the Congress recognized in establishing the Conte Refuge. I think the goals of the Conte Refuge can be achieved without any eminent domain actions; I am absolutely convinced of that. But to withdraw that from the law for this particular project I think is to set a precedent that is very destructive and also fundamentally counters the public interest that lies behind not only this designation, but other designations, and also underlies our belief in things like historic preservation tax credits.

So I oppose this bill.

Mr. SAXTON. Mr. Speaker, I would ask the gentleman does he have any further speakers?

Mr. STUDDS. Not to my knowledge, I would say to the gentleman.

Mr. SAXTON. Mr. Speaker, with that understanding I yield such time as he may consume to the gentleman from New Hampshire [Mr. BASS] for his closing statement.

Mr. BASS. Mr. Speaker, I thank the gentleman from New Jersey for yielding this time to me, and I would just like to point out that there is an enormous difference between an effort to preserve a trail and an undertaking that will potentially affect 80,000 acres of property.

I would also point out that the scope of this piece of legislation is now, by unanimous-consent amendment, limited to the States of New Hampshire and Vermont. Now, this is a very critical issue for folks in New Hampshire and Vermont, and the gentleman from Vermont [Mr. SANDERS] and I have joined together in a bipartisan effort to

create a modicum of protection for folks who make a living off of the land that might be affected by this potential wildlife refuge.

Nobody opposes the idea of the Silvio Conte Wildlife Refuge. We want it to go ahead. But we feel that this amendment, which is supported by numerous environmental groups in my home State of New Hampshire, and I suspect also in Vermont, is important to us. I would point out that there are 33 other precedents for use of this limitation on eminent domain proceeding, and to the best of my knowledge it has worked very well in all of those instances.

So I would urge the body to support this bill along with its unanimous-consent amendment. It is important for Vermont and New Hampshire, and it is important for the future of this very significant wildlife refuge.

Mr. YOUNG of Alaska. Mr. Speaker, H.R. 2909, the Silvio O. Conte National Fish and Wildlife Refuge Eminent Domain Prevention Act, prevents the Fish and Wildlife Service from purchasing land for inclusion in the Conte Refuge without the consent of the owner.

I served with Silvio Conte for nearly 20 years, and I know that he cared deeply about the protection of migratory bird habitat and the creation of this refuge. This bill will further both of those goals by increasing public support for this refuge.

Local residents want to see important habitat protected, but some fear the Federal Government's sometimes heavy-handed land acquisition policies. This bill allows the Service to preserve important habitat, but also protects property owners from overzealous bureaucrats. The protections in this bill will enhance the public's support of the refuge since surrounding property owners will know that their property cannot be taken without their consent.

H.R. 2909 would allow condemnations for the purposes of settling title issues and determining price as long as the property owner consents to such actions. There is precedent for this bill. In 1988, Congress enacted a law, Public Law 98-548, which established a Federal wildlife refuge in Louisiana and stipulated that the Fish and Wildlife Service could only obtain lands for inclusion in this refuge from willing sellers.

Furthermore, in the testimony of the Department of the Interior on H.R. 2909, the administration witness stated that "since 1989, the Fish and Wildlife Service has not used condemnation without the consent of the owner, and does not intend to use it for this unique refuge". The testimony went on to say that "no condemnation is planned for any aspect of this project." Putting the force of law behind this policy will clearly enhance public support for this refuge.

This bill is widely supported by environmental and conservation groups in New Hampshire, including the Appalachian Mountain Club, the New Hampshire Farm Bureau, the New Hampshire Timberland Owners Association, and the Society for the Protection of New Hampshire Forests.

I commend Congressman BASS for introducing this measure, and I urge an "aye" vote on this important property rights bill.

Mrs. VUCANOVICH. Mr. Speaker, I understand the concerns of the gentleman from

California [Mr. WAXMAN]. If he will recall, the advisory group met on March 20 of this year to consider five bills for the Corrections Calendar. While no members of the minority were present at that meeting, all members of the advisory group are allowed, and were allowed following that meeting, to participate by expressing their views even though they may not be able to attend our meetings.

Following our March 20 meeting, we reviewed the input from all our members and a consensus was reached to recommend H.R. 2909 to the Speaker for placement on the Corrections Day Calendar when reported out of the committee of jurisdiction, in this case the Resources Committee. Once recommended, all corrections day legislation must travel through the regular legislative process and be reported.

I recognize that the corrections day process is new to many and that we all have demanding schedules. However, being a member of a panel such as the Corrections Day Advisory Group requires members' attendance in order that we may be able to carry out its purpose.

Mr. SAXTON. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. STUDDS. I have no further requests for time.

I want to close by commending the gentlewoman from Connecticut on the eloquence of her lesson in civic responsibility.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. Pursuant to the rule, the previous question is ordered.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and (three-fifths having voted in favor thereof) the bill was passed.

A motion to reconsider was laid on the table.

#### GENERAL LEAVE

Mr. SAXTON. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on H.R. 2909, the bill just passed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

□ 1100

#### THE JOURNAL

The SPEAKER pro tempore (Mr. WALKER). Pursuant to clause 5 of rule I, the pending business is the question of agreeing to the Speaker's approval of the Journal of the last day's proceedings.

The question is on the Speaker's approval of the Journal.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. STUDDS. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 347, nays 50, not voting 37, as follows:

[Roll No. 225]

YEAS—347

Ackerman	Dellums	Johnson, E. B.
Allard	Deutsch	Johnston
Archer	Diaz-Balart	Kanjorski
Armey	Dickey	Kaptur
Bachus	Dicks	Kasich
Baesler	Dingell	Kelly
Baker (CA)	Dixon	Kennedy (MA)
Baldacci	Doggett	Kennedy (RI)
Ballenger	Dooley	Kennelly
Barcia	Doolittle	Kildee
Barr	Doyle	Kim
Barrett (NE)	Dreier	King
Barrett (WI)	Duncan	Kingston
Bartlett	Dunn	Klink
Barton	Edwards	Klug
Bass	Ehlers	Knollenberg
Becerra	Ehrlich	Kolbe
Beilenson	Emerson	LaHood
Bentsen	Eshoo	Lantos
Bereuter	Evans	Latham
Berman	Ewing	LaTourette
Bevill	Farr	Laughlin
Bilbray	Fawell	Lazio
Bilirakis	Fields (LA)	Leach
Bishop	Fields (TX)	Levin
Bileley	Flake	Lewis (CA)
Blumenauer	Foley	Lewis (KY)
Blute	Forbes	Lightfoot
Boehlert	Fowler	Linder
Boehner	Frank (MA)	Lipinski
Bonilla	Franks (CT)	Livingston
Bonior	Franks (NJ)	LoBiondo
Bono	Frelinghuysen	Lofgren
Boucher	Frisa	Longley
Brewster	Frost	Lowey
Browder	Furse	Lucas
Brown (OH)	Galleghy	Luther
Brownback	Ganske	Maloney
Bryant (TN)	Gejdenson	Manton
Bryant (TX)	Gekas	Manzullo
Burr	Gilchrest	Martinez
Burton	Gilman	Mascara
Buyer	Gonzalez	Matsui
Callahan	Goodlatte	McCarthy
Camp	Goodling	McCollum
Campbell	Gordon	McHale
Canady	Goss	McHugh
Cardin	Graham	McInnis
Castle	Green (TX)	McIntosh
Chabot	Greene (UT)	McKeon
Chambliss	Greenwood	McKinney
Chenoweth	Gunderson	McNulty
Christensen	Gutierrez	Meek
Chrysler	Hall (OH)	Metcalf
Clayton	Hall (TX)	Meyers
Clement	Hamilton	Mica
Clinger	Hancock	Millender-
Coble	Hansen	McDonald
Coburn	Hastert	Miller (CA)
Coleman	Hastings (WA)	Miller (FL)
Collins (GA)	Hayworth	Minge
Collins (MI)	Hefner	Mink
Combest	Herger	Moakley
Condit	Hinchey	Mollohan
Conyers	Hobson	Montgomery
Cooley	Hoekstra	Moorhead
Cox	Hoke	Morella
Coyne	Holden	Murtha
Cramer	Horn	Myers
Crane	Hostettler	Myrick
Crapo	Houghton	Nadler
Creameans	Hunter	Neal
Cubin	Hyde	Neumann
Cummings	Inglis	Ney
Cunningham	Istook	Norwood
Danner	Jackson (IL)	Nussle
Davis	Jackson-Lee	Oberstar
de la Garza	(TX)	Obey
Deal	Jefferson	Olver
DeLauro	Johnson (CT)	Ortiz
DeLay	Johnson (SD)	Orton

Owens	Sanders	Tauzin
Oxley	Sawyer	Taylor (NC)
Packard	Saxton	Tejeda
Pallone	Scarborough	Thomas
Parker	Schaefer	Thornberry
Pastor	Scott	Thornnton
Paxon	Seastrand	Thurman
Payne (NJ)	Sensenbrenner	Tiahrt
Payne (VA)	Serrano	Torres
Pelosi	Shadegg	Trafficant
Peterson (MN)	Shaw	Upton
Petri	Shays	Velazquez
Pomeroy	Shuster	Vento
Porter	Sisisky	Vucanovich
Portman	Skaggs	Walker
Poshard	Skeen	Walsh
Quillen	Skelton	Wamp
Quinn	Slaughter	Ward
Radanovich	Smith (NJ)	Watt (NC)
Rahall	Smith (TX)	Watts (OK)
Ramstad	Smith (WA)	Waxman
Rangel	Solomon	Weldon (FL)
Reed	Souder	Weldon (PA)
Regula	Spence	White
Richardson	Spratt	Whitfield
Rivers	Stark	Wicker
Roberts	Stearns	Williams
Roemer	Stenholm	Wilson
Rogers	Stockman	Wise
Rohrabacher	Stokes	Wolf
Ros-Lehtinen	Studds	Woolsey
Rose	Stump	Wynn
Roth	Stupak	Young (AK)
Roybal-Allard	Talent	Young (FL)
Royce	Tanner	
Salmon	Tate	

NAYS—50

Abercrombie	Gephardt	Pickett
Borski	Geren	Pombo
Bunn	Gillmor	Rush
Clay	Gutknecht	Sabo
Collins (IL)	Hefley	Sanford
Costello	Heineman	Schroeder
DeFazio	Hilleary	Smith (MI)
Durbin	Hilliard	Taylor (MS)
Engel	Hutchinson	Thompson
English	Jacobs	Towns
Everett	Jones	Visclosky
Fazio	LaFalce	Volkmer
Filner	Lewis (GA)	Waters
Flanagan	Markey	Weller
Foglietta	Martini	Yates
Fox	McDermott	Zimmer
Funderburk	Menendez	

NOT VOTING—37

Andrews	Gibbons	Moran
Baker (LA)	Harman	Nethercutt
Bateman	Hastings (FL)	Peterson (FL)
Brown (CA)	Hayes	Pryce
Brown (FL)	Hoyer	Riggs
Bunning	Johnson, Sam	Roukema
Calvert	Klecza	Schiff
Chapman	Largent	Schumer
Clyburn	Lincoln	Torkildsen
Dornan	McCrery	Torricelli
Ensign	McDade	Zeliff
Fattah	Meehan	
Ford	Molinari	

□ 1120

So the Journal was approved.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

#### APPOINTMENT OF CONFEREES ON H.R. 3103, HEALTH COVERAGE AVAILABILITY AND AFFORDABILITY ACT OF 1996

Mr. ARCHER. Mr. Speaker, pursuant to clause 1 of rule XX and by direction of the Committee on Ways and Means, I move to take from the Speaker's table the bill (H.R. 3103) to amend the Internal Revenue Code of 1986 to improve portability and continuity of health insurance coverage in the group and individual markets, to combat

waste, fraud, and abuse in health insurance and health care delivery, to promote the use of medical savings accounts, to improve access to long-term care services and coverage, to simplify the administration of health insurance, and for other purposes, with a Senate amendment thereto, disagree to the Senate amendment, and request a conference with the Senate thereon.

The SPEAKER pro tempore (Mr. WALKER). The gentleman from Texas [Mr. ARCHER] is recognized for 1 hour.

Mr. ARCHER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this is the customary motion to go to conference. I believe the minority has a motion to instruct conferees.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas [Mr. ARCHER].

The motion was agreed to.

#### MOTION TO INSTRUCT OFFERED BY MR. DINGELL

Mr. DINGELL. Mr. Speaker, I offer a motion to instruct conferees.

The Clerk read as follows:

Mr. DINGELL moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the Senate amendment to the House bill H.R. 3103 be instructed—

(1) to recede to the Senate amendment except with respect to section 305 of the Senate amendment; and

(2) with respect to such section (A) to consider whether the enactment of such section would result in an increase in premiums for private health plans and (B) if so, to provide for concurring with such section with an amendment that adjusts such section to provide for the maximum coverage of mental health services under health plans without increasing such premiums.

The SPEAKER pro tempore. The gentleman from Michigan [Mr. DINGELL] will be recognized for 30 minutes in favor of his motion. Does the gentleman from Texas [Mr. ARCHER] wish to be recognized in opposition to the motion?

Mr. ARCHER. I do, Mr. Speaker.

The SPEAKER pro tempore. The gentleman from Texas [Mr. ARCHER] will be recognized for 30 minutes in opposition to the motion.

The Chair recognizes the gentleman from Michigan [Mr. DINGELL].

Mr. DINGELL. Mr. Speaker, I yield myself 5 minutes.

(Mr. DINGELL asked and was given permission to revise and extend his remarks.)

Mr. DINGELL. Mr. Speaker, here we go again. Once again our friends and colleagues on the Republican side have spent days and weeks behind closed doors. Our colleagues have been negotiating with themselves. They have been excluding Members on this side of the aisle. They have been excluding the President. They have been using their usual highly partisan style, strategy and technique.

They have stuck a controversial and objectionable medical savings account provision in their bill to serve the Dole for President campaign and to assist special interest friends in the health insurance industry.

Mr. Speaker, our motion to instruct is simple: It tells the House conferees, "Do not reinvent the wheel." We have before us a good bill which came from the Senate. It was totally non-controversial. It properly rejected a broad medical savings account provision as unwise and fiscally irresponsible. The instruction tells House conferees that with the exception of one provision on which further analysis may be needed, simply recede to the Senate.

On that one provision, an important bipartisan amendment to provide mental health parity offered by our friends and colleagues, Mr. DOMENICI and Mr. WELLSTONE, it instructs the conferees to study the issue and to consider whether the provision would raise health insurance premiums. If the provision is found to raise premiums, the motion tells the conferees to do their best to adjust it to provide for the maximum possible mental health coverage without raising premiums and within the scope of the conference.

Make no mistake, my colleagues: The conference committee is about to be appointed, but it is one which already has its decisions made. All the important decisions are in place. Once more, the extremist Republican majority has told the American people and the President of the United States, "It's our way or the highway."

The Congress has an opportunity this year to enact a noncontroversial, a bipartisan, a consensus health insurance reform bill, a small one but an important one, a bill that would make health insurance more widely available to the American people. Some 28 million people will benefit from the enactment of this legislation. It is a bill which would assure portability, guaranteed access and renewal. It would limit preexisting condition exclusions, and set up purchasing pools for small business.

This is a bill which was so broadly supported that it passed the Senate of the United States 100 to nothing. The Republican majority is not content, however, to stop here with a good bill. They could not resist playing politics with the health and security of the American people. And in spite of the President's good faith offer to negotiate a carefully constructed pilot program on MSA's, they just could not resist sending a bill that will have to be vetoed.

The beneficiaries of this will be the health insurance industry, and then only a part of it. The people who will suffer from this choice are the American people. Some 28 million Americans will not get the benefits of this legislation.

My Republican colleagues locked the doors. They locked out the American people. They ignored the will of the

other body, which voted against MSA's, and they crowbarred this curious provision into the bill.

As they have done over and over again in this Congress, they bent the rules and, quite frankly, they are in the process of making a mockery of the conference structure of the two bodies.

Mr. Speaker, who is going to pay in the end for this partisanship? It is going to be the American people, 28 million of whom will be denied the benefits of significant improvements in health insurance and major reform.

Let us have a real conference with genuine bipartisan dialog and negotiation. Bring the President into the process in good faith, not by distorting the process by making the agreement beforehand and then telling the President to fly off.

A Presidential signature is going to be difficult. Let us get the Presidential signature. Let us enact the legislation. Let us support the motion to instruct.

□ 1130

Mr. ARCHER. Mr. Speaker, I yield 3 minutes to the gentleman from California [Mr. THOMAS], the respected chairman of the subcommittee of the Committee on Ways and Means.

(Mr. THOMAS asked and was given permission to revise and extend his remarks.)

Mr. THOMAS. Mr. Speaker, it is with great pleasure and a certain amount of pride that I take the floor this morning, finally, as we appoint the conferees to meet with the Senate on our health insurance package.

I find it somewhat ironic that this package passed the House some time ago, passed the Senate on April 16, but it is not until June 11 that we are naming conferees. That is simply because the Senate stalled. The Senate would not go forward. The Senate Democrats wanted to play politics with health care once more.

We discovered, Mr. Speaker, that the President's mediscare tactics over the last year cost the American people more than \$100 billion when we compare the 1995 Medicare trustees report with the 1996 Medicare trustees report. If we follow the wishes of the former chairman of the Committee on Commerce and pass this motion to instruct, we are once again going to be part of an operation that delays and obfuscates.

Mr. Speaker, the gentleman said that the negotiations that we have been carrying on with the Senate tried to crowbar provisions into the package. One man's crowbar is another's compromise and accommodation, and I just find it totally ironic that the gentleman from Michigan, given his history of rather cavalier and arrogant management of conference reports, would, in fact, make such a comment.

He alluded to the fact that the Senate package passed the floor 100 to 0. If that is the case, why is the motion to instruct not to go with the Senate program? Oh no, he knows there were



flaws in the Senate bill. So on the one hand he says we have to go with the Senate, they are wise, they were bipartisan, they passed it 100 to 0, but, oh, by the way, in the motion to instruct, we do want to make changes in the Senate provision.

Well, let me tell my colleagues, the House and the Senate coming together has created historic legislation. We believe the President will be compelled to sign this package. We changed the language in the fraud and abuse area so that someone committing a bookkeeping error would not be liable to the penalties. Rather it is deliberate ignorance or reckless disregard of the law, rather than a simple bookkeeping error.

Mr. Speaker, we have cleared away a lot of the paperwork logjam that has been there way too long. We cleaned up the long-term care insurance area, changing the Tax Code to allow seniors to deduct this off of their medical expenses. That has been left to languish far too long. And on MSA's, the agreement between the House and the Senate is to begin on January 1 with employers of less than 50 employees. Currently, out of the 29 million in that category, only 3 million have health insurance. The MSA's will afford health insurance for millions of Americans if we disregard the motion to instruct.

Mr. DINGELL. Mr. Speaker, I yield myself 30 seconds.

The distinguished gentleman from California has referred to me in a most kindly fashion. He has also alluded to the fact that the deal has already been cut. I would note that this is interesting from the standpoint of the business at hand.

He has also said some other things. He has tried to blame the Democrats in the Senate for the action of the Republican Presidential nominee, the gentleman from Kansas, Mr. DOLE, who is the majority leader over there until this afternoon, I am told, at which time he will be leaving. But it will be noted that this good majority leader has not, during the time that the gentleman from California complains, appointed the conferees.

Mr. Speaker, I yield 3 minutes to the distinguished gentleman from California [Mr. STARK].

Mr. STARK. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, the press reports indicate that Republicans have reached a deal among themselves and at long last, after 2 months, they want to appoint conferees, which I presume is for taking pictures and presenting us with a done deal. Not exactly what I would consider an open and fair legislative process.

My colleagues across the aisle have purposely turned their backs on the best opportunity of the year for a bipartisan bill that would have been developed openly and fairly. It is completely backward from the normal process and is designed to end run the

will of a majority of the Senate in opposition to medical savings accounts.

Mr. Speaker, we do not know many, many of the important deals of the back room deal. If it is like previous ones that handed billions of dollars to the American Medical Association in exchange for support of an ill constructed and conceived Medicare bill, or if it is similar to a payoff of the supporters of GOPAC and the Republican Party to pay off the Golden Rule Insurance Co., we can be pretty sure that those deals are in there.

The Senate passed a good bill. It did a better job on mental health amendments, which provided parity, which I assume the Republicans do not care about mental health. It did not deal roughshod with malpractice, and recognizes that 80,000 people are killed in hospitals each year. It weakened anti-fraud, or the Republican bill weakens antifraud and the Senate did not. The Senate did away with the MEWA's and is a better bill all around.

The Senate bill provides 80 percent deductibility for the self-employed. It covers all companies, not just those with less than 50 workers, and it is a better protection for the purchase of an individual insurance policy.

Mr. Speaker, for individuals, for U.S. citizens, the Senate is a better bill. The House bill is better for large contributors to the Republican Party. The House bill is a better bill for rich doctors. The House bill is a better bill for insurance companies. It is not as good a bill for individuals in this country.

It would be in the best interest of our constituents, of all people in this country, to go back, accept the Senate bill and recognize that we have thereby done a good job.

Mr. ARCHER. Mr. Speaker, I yield myself such time as I may consume. I rise in opposition to the motion to instruct.

Mr. Speaker, it seems ironic to me that the minority wants us to abandon all of the bipartisan work that occurred in the House of Representatives and simply accept the Senate bill. It is also interesting that the only part of the Senate bill that they do not want us to accept at face value is the provision on mental health.

Amazing. They want us to dump malpractice reform, which is driving up the cost of health care for all Americans. But, of course, that is what the trial lawyers want. So they want that to be totally dumped.

They want us to dump the ability of small businesses to be able to pool together to get their insurance prices down so that they can compete with large companies. They want that thrown overboard.

They want all of the revisions that will help to cut the cost of paperwork and administrative redtape dumped.

They want us to dump the provisions that will help those who are in terminal illness from being able to have accelerated death benefits out of their insurance policies, like those on AIDS, so

that they can expend that money for their health care in the last 2 years of their lives.

They want the elderly to be dumped and the ability that we provide in the House bill for them to be able to have long-term care deductibility on their insurance premiums.

They want all that to be thrown over and accept at face value everything in the Senate bill except the provision that the Senate put it to help those who have mental illness.

Mr. Speaker, this is a weird motion to instruct, and I think the House should clearly turn it down because it exposes the minority for what they really are. They do not want real health care reform, they just want issues.

We have a very good bill in the House, passed overwhelmingly by a bipartisan vote, and we will work from that to negotiate with the Senate so that we can end up with a better bill than what the Senate has created.

Mr. Speaker, I reserve the balance of my time.

Mr. DINGELL. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from New Jersey [Mr. PALLONE].

Mr. PALLONE. Mr. Speaker, it is a sad day today in the House of Representatives on health care reform. We know that this process began in the President's State of the Union address where he called upon this House, on a bipartisan basis, to pass the Kennedy-Kassebaum bill, with the goal essentially of expanding insurance coverage basically for people who have preexisting conditions, who have not been able to get health insurance, or for those who have trouble because they lose their health insurance when they lose their job or transfer from job to job.

We had a bipartisan consensus to move on these two issues, portability and preexisting conditions, to expand insurance coverage. But, instead, from the very beginning, the Republican leadership insisted on these medical savings accounts, which is nothing more than a special interest way of providing catastrophic health care coverage that most Americans, except for the healthy and the wealthiest among us, will not be able to take advantage of.

It was all done because essentially it was a payback. The Golden Rule Insurance Co. has made big contributions to the GOP, and they would reap big profits if the MSA proposal becomes law. They have given about \$1.2 million basically to various GOP causes. So from the very beginning there were not conferees appointed because we know that the other side, the Republicans, wanted to include the MSA's, and they still have.

Mr. Speaker, with this proposal today, our understanding is that when the conference is done they will simply ratify a proposal that still allows these MSA's to be included. It is a shame, because the Kennedy-Kassebaum bill was

crafted to keep premiums affordable because it would not impact the insurance risk pool by encouraging healthy individuals to drop coverage.

The MSA provision does the opposite. It is the poison pill. It basically makes it so that only the healthy and the wealthy can take advantage of this catastrophic coverage, and Americans who do not choose to join the MSA's, because of the high risks involved, will see their health insurance premiums increase.

The end result then, Mr. Speaker, is health insurance premiums increase for the average American. And instead of having more people insured, which was the very purpose for the President's call back in his State of the Union address, we will have less Americans insured.

Mr. ARCHER. Mr. Speaker, I yield myself such time as I may consume.

The gentleman's comments are just not founded on facts. The Rand Corp. has done a study about medical savings accounts, the Journal of American Medicine has come out with a study, and both of them say there will not be adverse selection. Both of them do not support in any way the gentleman's comments that this would help the rich or this would help only those who are healthy. Not so at all. All of the empirical data puts that down.

Mr. Speaker, I yield 2 minutes to the gentlewoman from Connecticut [Mrs. JOHNSON], the respected chairman of the Subcommittee on Oversight of the Ways and Means Committee.

Mrs. JOHNSON of Connecticut. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, this is an extraordinary opportunity for this House and this Congress. We have the opportunity in the conference process to come to agreement on a bill, and we can already see the agreement out before us that will guarantee to the working people of America the right to move from job to job without losing their health insurance due to preexisting conditions.

Why would we want to limit conferees' ability to merge the fraud and abuse provisions of the House and Senate bill and choose those provisions that are really strongest but also most protective against small minor mistakes and making those as criminal?

Why would we want to tie the conferees' hands and not let them include administrative simplification provisions worth billions and billions of dollars in savings to our health care system?

Why would we not want them to consider a compromise in the medical savings account that does not open up the right to medical savings account to the big givers of the Republican Party, as my colleague, the gentleman from California [Mr. STARK], claims, but rather only opens it up to the employees of small businesses, 50 or under?

Frankly, Mr. Speaker, those folks are not big givers to either party. They are

just folks who do not have health insurance and need an opportunity to have this choice.

□ 1145

It is a small, modest compromise. It requires a study, and it requires a congressional vote after 3 years before an expansion. It is just the right kind of compromise that the House and Senate are capable of coming to of move forward with the public business so that we can guarantee portability to America's workers, so that we can guarantee long-term deductibility of long-term insurance premiums; truly the right answer to controlling Medicaid spiraling costs, absolutely the right answer to make long-term health care premiums deductible.

That is in this. As important a reform as this Congress has ever considered in the health care area. We have the opportunity to serve the public well.

Mr. Speaker, I oppose the special instructions of the gentleman from Michigan [Mr. DINGELL].

Mr. DINGELL. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Maryland [Mr. CARDIN].

Mr. CARDIN. Mr. Speaker, I congratulate the gentleman from Michigan [Mr. DINGELL] for the work he has done on health care reform. I am pleased that we are finally going to conference on this health reform bill.

Since the President's State of the Union Address, there has been bipartisan support in passing legislation that would eliminate preexisting conditions for people who lose their jobs and need to change from one group plan to another, or from a group plan to an individual plan.

We have wanted portability, both Democrats and Republicans have asked for us to move this legislation, and I am pleased that at last we are going to conference in order to get this done.

Mr. Speaker, I support the motion of the gentleman from Michigan to instruct the conferees, and let me give two reasons that I hope that the final bill that we will vote on will contain.

First, mental health parity. Mental health parity is important to help start to remove the historical discrimination against mental illness in this Nation. There has been a lot of talk that that may increase the premium cost. Let me give the experience of the State of Maryland.

Mr. Speaker, we have enacted mental health parity in our State that is effective against State-regulated health insurance plans. We have found no appreciable increase in premium costs as a result of establishing parity.

Mr. Speaker, when consumers have reasonable access to health care, we find that we have more cost-effective health care; we do not force people into more costly circumstances. We have found in-patient care actually decline as a result of providing mental health parity. We would hope that the final bill that comes to the floor from con-

ference will include mental health parity.

The second reason I support the gentleman's proposal is the MEWA provision that allows employers to join together but preempts the abilities of our States to regulate. We talk about we want the States to do more, but the MEWA provisions in the House bill would prevent our States from regulating. The State of Maryland has enacted small market reforms. The MEWA provisions would prevent that.

Mr. Speaker, I urge my colleagues to support the motion.

Mr. ARCHER. Mr. Speaker, I yield 6 minutes to the gentleman from Illinois [Mr. HASTERT], a gentleman who has contributed so much to the development of health care policy in the House.

Mr. HASTERT. Mr. Speaker, it is interesting to hear the debate, especially from the other side of the aisle. It is also interesting to hear the rhetoric from the other side of the aisle that tries to create a class warfare on a piece of legislation that is really for what the American people want.

If my colleagues would look at this bill, this does not treat any special interests, it does not take any upper-income group and give them a special deal. What it does is allow working Americans, people who work for small businesses, people who are self-employed to, have a choice.

Is that so wrong to do, to give people choices on what they want with their health care future; what they want to do to choose a health care policy that best suits them and their family? A health care choice that they have the opportunity to begin to take care of their long-term health care future if they wish to do that? That is exactly what is in this bill.

Mr. Speaker, we give portability and affordability. That was our goal: To let people have the ability to get health care insurance, even when they change jobs, group to group or group to individual. That they are not denied health care because they or their family have a preexisting condition. That is out of this bill. We are there. They have the ability to have that portability. They have the ability to move from job to job.

Also, one of the things that we do here is long-term care so seniors who worry about their golden years and beyond those times when maybe they are able to take care of themselves, that they are not thrown out into the issue that they have to give up all of their resources that they are able to take their life insurance, in fact if they had a catastrophic health care problem that they could convert that life insurance tax free into long-term care insurance, and also treats long-term care insurance in a tax issue that is just like any other health care insurance. It is tax deductible. Does that not make sense? I think it makes a lot of sense.

Deductibility, for those people who have never had the break in small business, where big businesses can go and

deduct their health care insurance as an expense against their business, small business has never had that. Sometimes we have given them 25 percent; sometimes it has been zero, because the Congress has not acted, and then now it is 30 percent.

Mr. Speaker, we try to move that to parity. We try to give those people, and we do in this bill, 80-percent deductibility, so small-business people have the ability to go out and buy insurance and get the same break that big businesses get.

Fraud and abuse: The American people know that fraud and abuse is one of the biggest issues out there, that one out every 10 health care dollars gets wasted. Wasted. And any senior citizen will tell you that waste, fraud, and abuse is rampant in our system.

Mr. Speaker, we address waste, fraud, and abuse in this issue. We take that issue down and say that we are going to draw the line of those few people in the health care providers that take advantage of the poor, that take advantage of the old, that take advantage of people who need health care and get slicked into something that they cannot afford.

Mr. Speaker, I have to say that the gentleman from New Jersey [Mr. PALLONE], who spoke a few minutes ago, made this big issue and talked about class warfare and something for the rich. I just have to say that that is just not so.

Now, I would never accuse that gentleman of not telling everything that he knows, but let me say this: He offered the same motion on the floor when we discussed health care reform, this same piece of legislation, and it was defeated overwhelmingly in this House. And now he is coming back from a second bite of the apple, I think that is a little bit much.

Mr. Speaker, let us talk about medical savings accounts. Medical savings accounts in this bill give the people who are small-business people the ability to give their employees a choice. Now, I thought in a democracy such as the United States of America, that choice is really what democracy is all about, small "D" democracy.

Choice is what people can choose. Choice puts the market in. Choice gives the ability to go out and buy the best program for the best amount of money.

Now, if we think government is smarter than the people, if we insist on big government programs, then we would want to deny people choice. We want to deny them the ability to do the right thing. This piece of legislation gives people choice. It allows them to do the right thing for themselves and their family.

Mr. Speaker, I salute the gentleman from Texas [Mr. ARCHER], chairman of the Committee on Ways and Means, and the gentleman from Virginia [Mr. BLILEY], chairman of the Committee on Commerce, for doing the right thing in this bill, coming out with a piece of

legislation that really gives us true health care reform, something that we have not seen in this Chamber for 20 years. It is time we pass it and it is time we pass it in the House version.

The SPEAKER pro tempore. Without objection, the gentleman from New Jersey [Mr. PALLONE] will be recognized to yield the time previously allocated to the gentleman from Michigan [Mr. DINGELL].

There was no objection.

Mr. PALLONE. Mr. Speaker, I yield 2 minutes to the gentleman from Washington [Mr. McDERMOTT].

(Mr. McDERMOTT asked and was given permission to revise and extend his remarks.)

Mr. McDERMOTT. Mr. Speaker, what we are engaged in here today is basically a sham. The Republicans have met by themselves and decided what this bill is going to contain. And much of what the gentleman from Illinois [Mr. HASTERT] says is correct. There are a lot of good things in this bill.

But, Mr. Speaker, this proposal is designed to be vetoed by the President. Now, if we answer 10 issues and all of them are good, we have portability, and we make it so that preexisting conditions cannot prohibit consumers from getting insurance and so forth, if we had 10 issues that were good and we knew we could get them, but we had one other issue that the President said, "If you put that in, I am going to veto it," why would we put it in except unless we wanted the President to veto it?

The Republicans have no intention of passing this bill. They stuck that poison pill of medical savings accounts in simply because they know the President has given his word. He has told them in advance, "If you put that in, gentleman and ladies, I am going to veto this bill." So, they do it anyway.

Now, the question then is why, after 2 years of fighting, do they have a secret conference committee make the decisions and put a bill out here on the floor that they know the President is going to veto?

Mr. Speaker, my answer is that they have no intention of doing anything to fix the American's problem with health care in this country. There are now 44 million people in this county, and the number is growing every single day, and yet they refuse to make the very small changes of portability and getting rid of preexisting conditions.

In fact, Mr. Speaker, they are going to kill the mental health provisions. As a psychiatrist, I know that people who have mental health problems in their family have a very difficult time getting coverage. And this bill that the Senate put together was a good proposal. It ought to be accepted, but, in fact, they have put in a poison pill.

Mr. ARCHER. Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, I would ask the gentleman from Washington why is it that in this motion to recommit the only thing in the Senate bill that is not pro-

tected is the mental health provisions? The only thing that this motion to recommit says to the conferees that they can take out of the Senate bill is the mental health provision, the very thing that the gentleman says is so important? Why is that in this motion to instruct?

Mr. McDERMOTT. Mr. Speaker, will the gentleman yield?

Mr. ARCHER. I yield to the gentleman from Washington.

Mr. McDERMOTT. Mr. Speaker, I thank the gentleman for giving me an opportunity to respond to that. On our side, we figured out that we have to make compromises to get things through.

Mr. ARCHER. Mr. Speaker, to say that the gentleman wants to compromise that, and not take the Senate language, but not compromise anything else, why is that the only part that the Democrats are willing to compromise? That seems very strange.

The gentleman, particularly because of his background, I would think would want that to be taken out of this motion to instruct.

Mr. Speaker, I yield 1½ minutes to the gentleman from California [Mr. THOMAS].

Mr. THOMAS. Mr. Speaker, I would ask the gentleman from Washington if he would like to come to the mike. I will give him time on my time to respond to a question I would like to ask him, because in his statement he was quite emphatic that if the medical savings accounts as we are beginning to work them out with the chairwoman on the Senate side from Kansas, that if, in fact, we work out something that is acceptable to the gentlewoman from Kansas, that the President is going to veto it.

Mr. Speaker, the gentleman from Washington spoke with such certainty that this was a poison pill. I guess I would ask the gentleman if it is included and the President signs it, what does it tell the gentleman about the President? Why is he so certain the President is going to veto the package if it has the compromised MSA language in it?

Mr. McDERMOTT. Mr. Speaker, will the gentleman yield?

Mr. THOMAS. I yield to the gentleman from Washington.

Mr. McDERMOTT. Mr. Speaker, I think the President has made it pretty clear that if my colleagues on the other side of the aisle put the medical savings accounts in, and this proposal is not some kind of pilot program. The gentleman knows that. It goes for 3 years, then it becomes open to the whole world. My view is that the gentleman is going to continue and—

Mr. THOMAS. Mr. Speaker, reclaiming my time, I was amazed as to how certain the gentleman from Washington was that the President would veto it. I think that certainty does not come from knowledge; it comes from fear that the President will, in fact, sign the legislation because it is a reasonable compromise and is going to

leave a lot of people who have been very unwilling to be reasonable out on the limb.

Mr. Speaker, we are going to test that hypothesis very soon because I believe the President will sign this very responsible health insurance reform package.

Mr. PALLONE. Mr. Speaker, I yield 2 minutes to the gentlewoman from Connecticut [Ms. DELAURO].

□ 1200

Ms. DELAURO. Mr. Speaker, today will be remembered as a sad day in this Congress, a day when we missed an opportunity to help millions of working families. Once again congressional Republicans serve up legislation to help wealthy special interests. This bill, which started off as a good bipartisan bill that would have helped working families, people who move from job to job, to maintain their health insurance, prohibit preexisting condition, add parity for mental illness, this bill has been hijacked by Speaker GINGRICH and by Majority Leader DOLE.

Under the banner of reform, the House passed a bill that raises health care costs, hurts consumers and increases the number of uninsured. By including medical savings accounts, skimming the healthy and the wealthy out of the traditional insurance pool, we will see in fact insurance costs go up. Do not take my word for it. Take the American Academy of Actuaries, not a liberal group by any stretch of the imagination. They estimated that this skimming process would result in a 61 percent increase in health care premiums for those who remain in traditional plans.

Let me tell my colleagues why do we have such bad policy here in the House. We will find out in a second here when we know that the company that provides most of these medical savings accounts, the Golden Rule Insurance Co., has been the third largest donor to Republican political campaigns, more than a million dollars to the Republican Party over the last 4 years. That is why we see this addition to this bill.

Sadly, this is a bad piece of legislation. Let me repeat, under the banner of reform this bill as passed will raise health care costs. It hurts consumers and it will increase the number of uninsured. We had a wonderful opportunity to pass help for working families in this country. Because of special interests, the Republican majority has denied that opportunity to working families today.

Mr. ARCHER. Mr. Speaker, I reserve the balance of my time.

Mr. PALLONE. Mr. Speaker, I yield 2 minutes to the gentleman from Texas [Mr. BENTSEN].

(Mr. BENTSEN asked and was given permission to revise and extend his remarks.)

Mr. BENTSEN. Mr. Speaker, I rise in support of the motion to instruct because it puts us on a fast track to real bipartisan market-based health care reform by adopting the Senate bill.

Mr. Speaker, my Republican colleagues have been negotiating amongst themselves and would now have us buy what we might call a pig in a poke, sight unseen, take it or leave it. We do not know but we think they have made some beneficial corrections to the original Republican bill, including the dropping of MEWA's or an unregulated small business insurance product and allowing for full deduction of health insurance costs for the self-employed which was actually in the Democratic substitute which I offered along with the gentleman from Michigan [Mr. DINGELL] and the gentleman from South Carolina [Mr. SPRATT]. We think that is good, but we do not know if it is real in there.

Unfortunately, we have fiddled away several months in order for the Republicans to force an iffy and untested, unsure tax incentive on the entire Nation. While there may be merit in the medical savings accounts, we really do not know and we should not hold up portability and preexisting condition discrimination for a pilot project. That is why the Republican Senate rejected the Dole MSA amendment when this bill was considered in the other body.

It is unclear and we do not know whether MSA's will result in a dilution of the insurance pool. We do not know whether or not employers will choose to substitute lesser benefits for their employees. We do not know what the real fiscal impact will be. So it comes down to a basic fact of why not pass what we all agree upon and get it done and come back and look at that. But our colleagues do not want to do it.

I would also add, Mr. Speaker, that we do not know whether or not this bill would still contain duplicative medigap insurance premiums which would cause senior citizens who pay twice for what they are getting only once. Quite frankly, what we ought to do is to go back and pass a guarantee of issue of medigap insurance for senior citizens since the Republican Medicare plan seeks to force seniors to managed care anyway. But we do not know what that bill is going to do with that. Mr. Speaker, the fact of the matter is they have been dealing amongst themselves. Let us pass a bill that we all agree upon and let the American people have a victory for once.

Mr. ARCHER. Mr. Speaker, I yield myself such time as I may consume.

As I listen to the comments from the other side of the aisle, I can only conclude that the Democrats really want to have it both ways. They want to talk about special interests, but they do not want to talk about the special interests and the trial lawyers who will not let us have medical malpractice reform. They do not want to talk about that. They want to talk about secret agreements. Yet the reason that we have not gone to conference after all these weeks is because in the other body one Senator has prohibited, prevented the appointment of conferees. In the other body, we are told, well,

you have to reach an informal agreement amongst yourselves before we can consider the appointment of conferees.

We should not be able to have this argument both ways.

Then their argument is that, oh, well, of course, this is going to be vetoed because there is a poison pill in here, and that poison pill is medical savings accounts. God forbid that we let people choose their own health care and spend their own money in order to determine what the best value of health care is for each individual, the ultimate in portability. When you have a medical savings account, if you do change jobs, you clearly carry it with you. It is yours. It is the ultimate in portability.

If it is a poison pill, how can it be that 80 percent of the American people by polls, survey after survey, support medical savings accounts? Why is it poison when 80 percent of the people say, give me that choice in my individual life?

Mr. Speaker, I reserve the balance of my time.

Mr. PALLONE. Mr. Speaker, I yield 2 minutes and 30 seconds to the gentleman from Michigan [Mr. LEVIN].

(Mr. LEVIN asked and was given permission to revise and extend his remarks.)

Mr. LEVIN. Mr. Speaker, there is a lot of smoke screening going on here. The issue is not malpractice insurance. I think the Republicans are ready to drop that. The issue is MSA's and whether they will be included. There is a good reason. The reason it was held up, the whole conference on the other side, was because the majority leader, as I understand it, wanted to stack the conference with Members who are in favor of MSA's.

Let me just indicate the problems with MSA's, as they came through the House. First of all, there is a health policy issue. That is, if you allow people to go into these, the healthier people, they are likely to raise the premiums for everybody else. That is the problem. There is a second problem and that relates to tax policy.

As they passed the House, here is what people could do, and I understand the gist of this remains in the agreement that none of us have seen. That is, people, especially wealthier people who would benefit, could put moneys into MSA's, they could accumulate income from those investments; they would not be taxed. At a certain age they could withdraw that without penalty. I think it was 59 here. Maybe it has been raised. If they kept the moneys until death, it would not be subject to taxation upon death.

So essentially what we have is an incentive for wealthier people. It is kind of an IRA for wealthy people.

By the way, they could take the money, they could keep it in there and spend other income on health care. That is why we say, just as my colleague tied Medicare to tax breaks for very wealthy people, we are tying what

is needed here, and that is portability and protection against preexisting conditions to a proposal that is mainly going to be a tax benefit for wealthier people. It is not a choice issue. It is that issue. And my colleague has never faced up to it.

That is why we are questioning MSA's in addition to the health policy. We need to respond to this. Otherwise we are going to have our opposition and a veto from the President.

Mr. ARCHER. Mr. Speaker, I yield 1 minute and 30 seconds to the gentleman from Illinois [Mr. HASTERT].

Mr. HASTERT. Mr. Speaker, I have a great deal of respect for the gentleman from Michigan, but he is just uninformed or he does not know what he is talking about. When he talks about smoke screen, it is the incredible smoke screen that is coming up on the other side of the aisle.

Medical savings accounts can accrue, true. But when you withdraw, if you withdraw that medical savings account for anything except health care, you pay a 15-percent penalty. Nobody is going to try to accrue this money and then try to pull it out with a 15-percent penalty. That is far above what advantage they get in the tax benefit. Also it is not for rich people. This is for small business people and self-employed people. That is the way the bill was written. Those people who work day in and day out with the sweat of their brow so that they can afford health care for their family and they can have a choice of health care for their family.

Finally let me say, when a person is 65 years of age, yes, he can withdraw that money and pay his taxes on it or he could withdraw that money and put it into long-term care. Boy, is that not a problem in this country? Or he can withdraw that money and pay for a catastrophic health care problem in his family. That is certainly a problem, especially if you are over 56 years of age. What the Members on the other side of the aisle are doing is trying to deny senior citizens the ability to have health care security and long-term health care security. That is where the smoke screen is, Mr. Speaker.

Mr. PALLONE. Mr. Speaker, I yield 2 minutes and 30 seconds to the gentleman from Massachusetts [Mr. MARKEY].

Mr. MARKEY. Mr. Speaker, these are very simple instructions. It says, say yes to Kennedy-Kassebaum. Say yes to portability. Say yes to a ban on preexisting conditions. That is what our instructions here today are to the negotiators. Let us get this done.

It says no to medical savings accounts and no to medical malpractice caps. It says no to all of the special interest feeding frenzy which is now building up around this bill.

American families are concerned about job lock; they cannot move with their medical insurance. They are afraid that they have preexisting conditions that will make it impossible for them to ever get new insurance, so we

are trying to protect them. But now what happens is all the special interests ride in with this very important bill and they try to turn it into a goodie grab bag for all of their special interest concerns.

Kennedy-Kassebaum is not perfect, but it is a very good bill; and it is what the American people want: portability, preexisting conditions protected against.

My mother always said that half a loaf is better than none. I support Kennedy-Kassebaum, even though it is really a couple of slices and I know that the American people want a whole loaf so that they have not only health insurance which is accessible but also affordable. But we cannot get that done this year. There will be no bill.

Unfortunately, the leadership, the House and Senate leadership has taken a couple of good, wholesome slices of health insurance reform and slapped a whole lot of extraneous junk food on top, creating a health care hoagie of medical savings accounts, caps on medical malpractice awards and other unhealthy additives. These anchovies and olives and onions are certain to tickle the taste buds of a very few special interests but cause heartburn for millions of consumers.

Mr. Speaker, the House and Senate Republican leadership has taken a non-controversial health care bill and turned it into a special interest feeding frenzy. That is wrong, just plain wrong.

We should put the needs of American families above the demands of the gluttons of Gucci Gulch outside the Committee on Ways and Means.

Mr. ARCHER. Mr. Speaker, I yield myself such time as I may consume.

Again, it would be very good if we could stick to the facts. What this motion to instruct does is it takes a whole Senate bill, dumps everything in the House bill, takes the whole Senate bill, except for one thing, help for the mentally ill. It says, no, the mentally ill can be thrown overboard, but everything else that is in the Senate bill, you have to accept.

□ 1215

It says no to small-business pooling that will let them compete with major corporations. That is what it says no to. That is in the House bill, not in the Senate bill. It says no to paperwork simplification. It says no to fraud and abuse. We cannot attack fraud and abuse. We got a very touch good provision in the House bill; the Senate does not. Says no to long-term care facilitation so people can protect themselves in that way.

It says yes to the trial lawyers; no malpractice reform.

This will likely be the only health care bill that passes the Congress this year.

Why should the American people be kept waiting for things that they want, that are so popular with them?

The American people need this bill. For the first time, working Americans

will be able to leave their jobs without having to worry about losing their health insurance due to a preexisting condition.

We should move quickly to enact a conference report that powerfully fights fraud and abuse in the health care system. It has often been said that could be as much as 10 percent of health care costs. The Senate bill does not have that; the House bill rightfully does in this one health care train that will leave the station this year.

This bill can create new criminal penalties against those who engage in health care fraud and a national health care fraud and abuse control program to coordinate Federal, State, and local law enforcement actions.

We can end the discrimination in the Tax Code against more than 3 million small self-employed business people, increasing the deductibility of health insurance to 80 percent for the self-employed and giving them the opportunity to select, if they wish, medical savings accounts.

We can make health care more affordable to senior citizens by passing into law two of the Contract With America items that allow tax deductions for long-term health care needs, like nursing home and health care coverage in long-term care. Also, terminally ill patients receive benefits by allowing them to receive tax-free, accelerated death benefits on their insurance policies while they are terminally ill.

And, finally, we can pass a bill that includes the ultimate and best in portability, which is medical savings accounts. MSA's are a valuable option in the health care market because they put people in control of their own health care decisions. They are popular with 80 percent of the American people. The only reason I can believe that they have been made so controversial by the other side, because they are not controversial with the American people, is because they are the single biggest bulwark to the Federal Government taking over our entire health care system, and so many on the other side would like nothing more than what President Clinton proposed in the last Congress, which is a complete Federal takeover of the health care system. The American people do not want that.

MSA's have a bipartisan history in the House. Over 40 Democrats voted for them here in the House. They were originated in the first bill by myself and the gentleman from Indiana [Mr. JACOBS], a Democrat. And Democrats over and over again have supported them.

Under a compromise that has been informally agreed to at the demands at the Senate prior to going to conference, which it should not have been that way, and had the Democrat Senators not held up the appointment of conferees in the Senate we would have this done some time ago, but under that informal agreement MSA's would be available to people to work in small

businesses with employment of under 50 employees and to the self-employed, and employers with bigger numbers of employees and individuals would have to wait for 3 additional years. But 29 million Americans work in companies with 50 or fewer employees, and just 3 million, only 3 million, have health insurance.

Mr. Speaker, we should open the door to then, and we will with this bill. Our MSA option will for the first time give the uninsured access to health care. For too many working Americans, health insurance is not even an option; it simply is not offered at all, especially for those who work in small business.

So I am bewildered to hear the critics of MSA's who would rather keep people without health care than allow this important option to be enacted into law, and it is only an option, not a mandate.

MSA's stand for medical savings accounts, but MSA's really stand for Medical Security Act. With MSA's people can be secure in the health care needs knowing that they can take their health insurance with them, and for those without insurance, MSA's represent a wonderful way to be safe and secure for illness.

We should delay no further. We have appointed conferees or authorized the appointment of conferees. Let us reject this motion to instruct. Let us work this out. Let us add good features that are in the House bill in this one-time-only health care reform package that can move into law this year.

Mr. Speaker, I reserve the balance of my time.

Mr. PALLONE. Mr. Speaker, I yield 1 minute to the gentleman from Ohio [Mr. BROWN].

Mr. BROWN of Ohio. Mr. Speaker, I thank the gentleman for yielding this time to me.

What has happened on this very simple bill? Kassebaum-Kennedy was a simple bill that dealt with two problems. It dealt with the problem of pre-existing condition and the problem with portability. Then Speaker GINGRICH and Republican leaders have chosen to attach to this bill all kinds of special-interest provisions for the largest insurance companies in America. All we are asking simply is that the House pass, that we instruct conferees to do what the Senate did when the Senate passed this bill unanimously a hundred to nothing and when the Senate defeated medical savings accounts. All we are asking is that Kassebaum-Kennedy be dealt with cleanly and simply, that we have a ban on preexisting condition and that we deal with the problems of portability so people can move their insurance from one employer to another employer.

All Speaker GINGRICH wants to do, what he wants to do is load up this bill with special-interest provisions to pay back big insurance companies that have helped Republican campaigns in the last couple of years.

The choice is clear. Vote "yes" on health reform. Vote "yes" on the motion to instruct.

Mr. HASTERT. Mr. Speaker, I move to take the words of the gentleman down.

The SPEAKER pro tempore (Mr. WALKER). The gentleman from Ohio [Mr. BROWN] will suspend, and the gentleman from Illinois [Mr. HASTERT] has demanded the words be taken down.

The gentleman from Ohio will be seated while the clerk transcribes the words.

□ 1240

Mr. HASTERT. Mr. Speaker, I withdraw my demand.

The SPEAKER pro tempore (Mr. WALKER). The gentleman from Illinois withdraws his demand. The time of the gentleman from Ohio [Mr. BROWN] has expired.

Without objection, the gentleman from Illinois [Mr. HASTERT] will control time.

There was no objection.

Mr. HASTERT. Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, we heard a lot of rhetoric back and forth in this Chamber today. I think there has been some good discussion of issues. I think that we should talk about medical savings accounts and get the facts out about medical savings accounts and other issues in this bill. But I think this House does not do itself any honor when in my opinion we try to impugn a Members' motives of why an issue is included or an issue is not included. I guess we could go back and forth in this Chamber and point fingers at each other for this issue or that issue or this support or that support, but I think we really need to focus on what those issues are and the positives and negatives, and I will just say that I will continue to watch and in my opinion when we impugn other Member's motives, of either side of this aisle, I do not think that should be tolerated in this Congress, and I will try to make sure that it does not occur.

Mr. PALLONE. Mr. Speaker, I would inquire about the time that remains.

The SPEAKER pro tempore. The gentleman from New Jersey [Mr. PALLONE] has 7 minutes remaining and the gentleman from Illinois [Mr. HASTERT] has 3 minutes remaining.

Mr. PALLONE. Mr. Speaker, I yield 2 minutes to the gentleman from California [Mr. FAZIO].

Mr. FAZIO of California. Mr. Speaker, I rise in support of the motion to instruct conferees offered by the gentleman from Michigan [Mr. DINGELL] and in opposition to the partisan agreement reached last night.

I oppose this agreement because a small band of Republicans have insisted on including a provision sure to provoke a Presidential veto.

The medical savings account provision favors their wealthy patrons over those citizens in dire need of health insurance reform.

This legislation began as true bipartisan effort in both houses of Congress.

The bill's twin goals of affordability and portability were also supported by the President. On the night of the State of the Union address, almost 5 months ago, he promised to sign this bill in its original form.

Indeed, the other body passed their version of this bill by a 100-to-0 margin. But this extremely rare example of bipartisanship was hijacked by Republicans in the House who do not seem to want reform.

The MSA provision allows the healthy wealthy to opt out of the insurance pool and build up their own medical savings accounts.

The result of this is that conventional insurance pools are broken up and those who are both sick and unable to afford MSA's are potentially left to fend for themselves.

The long-term effect of this double affliction is to increase the number of Americans who must go without health insurance. This provision completely defeats the purpose of health insurance reform.

There is a saying in the other body, "99 is never enough." Unanimity is required. If 100 U.S. Senators can agree on health insurance reform legislation, why can we not?

I urge my colleagues to oppose this reported conference agreement and pass a bill that we can all agree on and that the President will sign. The American people need health insurance reform. Let us not snatch it away from them for partisan political gain.

Mr. HASTERT. Mr. Speaker, I yield such time as he may consume to the gentleman from Texas [Mr. ARCHER], the chairman of the Committee on Ways and Means.

Mr. ARCHER. I thank the gentleman for yielding time.

Mr. Speaker, this is like a broken record. There is no empirical data to support what the gentleman from California just said.

Apparently the other side of the aisle has decided that they want to kill the opportunity for freedom of choice on the part of individuals and small employers to be able to select their own doctor and to pay their own medical bills. I do not know why they want to do that, but they have made that decision.

Now they have come up with this phrase that it benefits only the healthy and the wealthy. There is no data to support that. In fact, just the reverse. Both the Journal of American Medicine and the Rand Study showed just the opposite. The empirical data that we do have shows that there will be no adverse election.

We cannot continue to listen to this patented rhetoric of it only helps the healthy and the wealthy with no empirical data to support it.

The SPEAKER pro tempore. The gentleman from Illinois [Mr. HASTERT] has 1¼ minutes remaining, the gentleman from New Jersey [Mr. PALLONE] has 5

minutes remaining, and the gentleman from New Jersey has the right to close.

Mr. PALLONE. Mr. Speaker, may I inquire as to how many speakers they have on the other side that remain?

Mr. HASTERT. We only have one.

Mr. PALLONE. Mr. Speaker, I yield 1½ minutes to the gentleman from Rhode Island [Mr. KENNEDY].

□ 1245

Mr. KENNEDY of Rhode Island. Mr. Speaker, you do not really need a lot of empirical information to understand that insurance companies only make money off of healthy people, and that if they had a choice in this world of profit making, sick people cost them money. It is a given. It is common sense.

So what we were able to do in this Kennedy-Kassebaum bill is get two things that kept insurance companies from blocking health insurance to all kinds of people, even people who needed health insurance: Preexisting condition and portability.

There is agreement on it, and it is wonderful that even Republicans on the other side of the aisle agreed with this concept, that we needed to rein in the insurance companies on this issue.

We have agreed to come this far. Why do we need to jeopardize something that has already been agreed on because we want to put in this medical savings account? We have agreed on all this. Now what do they want? The Republicans in the House want to add this medical savings account.

Guess who supports this? Insurance companies. Guess why? Because, again, it allows them to only insure healthy people and block out health insurance for sick people that is going to cost them money.

Just think about who is behind this, and I think you will be able to understand why you do not need any empirical evidence to know why medical savings accounts are going to be the killer of health care reform.

Mr. HASTERT. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I just want to review this and say we have had a lot of rhetoric, as I said before, back and forth. The gentleman from Rhode Island talks about class warfare, how only the rich. That is completely false. There is no empirical data. That is why we have a study in this bill to look at what medical savings accounts actually do.

For the party on the other side of the aisle that supports big government decisions, that blocked out medical savings accounts because they do not want people to make choices, that they do not want people to test the market for themselves and to see what price and what services are best suited to themselves and their families, I think this is a crazy argument. But so be it.

What we need to do is to pass this legislation. We need to appoint the conference committee. We need to go ahead and meet as a conference, and then work out what differences there

are. It is surprising to me that the same party that blocked in the other body the ability for us to name conference committee members so that we can sit down and discuss this issue is now saying, "Well, this is an inside, clandestine, bipartisan agreement."

We had to sit down and go through the conduits to talk to the White House, to talk with the other side in the other body, in order for us to be able to name conferees. It that is not a stalling of the process, when one Member in the Senate can stall and hold up the process for the American people, having portability, having health care choice, having long-term care for senior citizens, when that happens, that is not democracy. We need to pass this bill today.

Mr. PALLONE. Mr. Speaker, I yield the balance of my time to the gentleman from Michigan [Mr. BONIOR] the distinguished minority whip.

The SPEAKER pro tempore (Mr. WALKER). The gentleman from Michigan [Mr. BONIOR] is recognized for 3½ minutes.

Mr. BONIOR. Mr. Speaker, I rise today to urge my colleagues to support this motion to instruct, to restore the simple straightforward bill to protect people's health care which passed by the Senate by a vote of 100 to 0.

Mr. Speaker, I am not arguing for some partisan position only by my party. If this motion passes, we will have a bill that all Republicans, all Democrats, all Americans can support. It is not that we are supposed to come here and try to figure out this health care bill in an hour's debate. We are supposed to work across party lines.

Are my colleagues on this side of the aisle so ideologically driven, so completely out of touch with the real lives of the American people, that they would destroy any chance for health care reform with this partisan, divisive amendment?

The clock is ticking, and if we do not act soon, this will go down in history as one of the least productive Congresses in the history of this country. So far, not a single thing has been done to improve the lives of ordinary Americans. Is that something my colleagues want to live with on this side of the aisle? The minimum wage, we passed it here, it is going to die. Pension reform, nothing happening. Education reforms, nothing is happening.

Now we are at the goal line and have a chance to put across a bill that will guarantee coverage for people, so if they lose their jobs or change their jobs they will have health insurance, and we have this medical savings account, which the Washington Post, the New York Times, Consumers Report, even the Wall Street Journal, has indicated is for the healthy and the wealthy. Yes, Mr. ARCHER, the healthy and the wealthy, driving everybody else's rates up in regular insurance pools.

Mr. Speaker, I urge my colleagues, on behalf of the 637,000 Michiganders

who will benefit by this bill, minus this medical savings account, to vote for the motion to instruct and to send a message to the country. This is the least we can do in this do-nothing Congress, is pass a small, scaled-down health care bill that will protect them and this country.

Ms. JACKSON-LEE of Texas. Mr. Speaker, this motion to instruct will almost certainly insure the signing into law, of this badly needed health insurance reform legislation which will help millions of working American men and women. The House Republicans have the hubris to include in their version, elements which they know will provoke a veto by the President. In particular, the special interest medical savings accounts and malpractice liability provisions have corrupted this legislation and condemned it and the millions it would help. It seems to be obvious that my Republican colleagues are much more interested in scoring political points with their special interest friends than actually passing legislation which will greatly help the actual people they were elected to represent.

By adopting the slightly modified Senate bill as our own, we can send to conference a clean and trouble-free bill that the President has stated he will indeed sign. It will be free of the untested and unproven medical savings accounts. While we can all speculate as to what will happen if we let loose upon the Nation, this new health insurance creature, we do not really know. And before we radically change how the men, women, and children receive their fundamental health care, I believe that more time and study should be applied to the issue and possibly a pilot experiment done. I say this because MSA's have the potential to drive up premiums for those who can least afford it and drive others into the ranks of the uninsured. The devil is in the details and the details I have seen are very devilish to be sure. This issue is so controversial, the Senate cannot even appoint its conference committee members. That fact alone should cause my colleagues to stop and reassess their priorities and their intentions—whether it is to pass real legislation which will help all Americans or to repay their political debts.

The citizens of this country want this reform, clean and unspoiled. If this Congress does nothing else, this reform bill is one of the most important things we can do during this session. This legislation will remove from the nightmares of millions of Americans the fear they are now plagued with—loss of health insurance benefit and costly medical bills they cannot pay. I urge all Members to vote for this motion and secure the health rights of all Americans. Passing the Senate version cleanly will help Texans and Americans to obtain health insurance in spite of preexisting condition and be able to carry their health insurance with them when they leave their job.

Mrs. LINCOLN. Mr. Speaker, I rise today to share my views regarding the motion to instruct conferees on H.R. 3103, the Health Coverage Availability Act, offered by my friend from Michigan, Mr. DINGELL.

I support coverage of mental health benefits by insurance companies, as long as the coverage does not cause a large increase in premiums for everyone else in the insurance pool. Mental health illnesses are a significant problem in this Nation, and if left untreated, can cause serious harm to the patients as well



as their loved ones. In addition, it is fiscally responsible to provide mental health treatment because proper preventive measures allow many patients to lead productive lives without having to be admitted into expensive long-term-care facilities. Mr. DINGELL's motion asks for the maximum level of mental health coverage that does not drive up the premium costs for others, and I am supportive of this motion.

In addition, the motion deletes medical savings accounts [MSAs] from H.R. 3103. Although I supported final passage of H.R. 3103 in late March because of the importance of providing workers health insurance portability, I did not support the MSA provisions as written in the bill. If we are going to include MSAs in this legislation, I believe that we should implement them on a demonstration basis so we can test the cost effectiveness of MSAs as well as the impact they would have on the insurance pool as a whole. We must ensure that the health and well-being of all Americans is the most important consideration regarding the establishment of MSAs, not just the health of those who can afford a special account.

Mr. Speaker, H.R. 3103 has many important provisions. It prohibits insurance companies from denying health care coverage to workers who move to another company, or who lose their jobs or become self-employed. The legislation also bars insurers from excluding coverage of preexisting illnesses for more than a year. In addition, this bill increases the tax deduction for health insurance costs paid by the self-employed, and it expands the opportunity for small businesses to form coalitions to provide them with health insurance.

Enactment of these measures is too important to be held up by disagreements on mental health benefits and MSAs. Therefore, I hope that we will move swiftly toward compromise on these issues so that we can provide our constituents with quality health insurance reform legislation.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Mr. PALLONE. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 182, nays 235, answered "present" 2, not voting 15, as follows:

[Roll No. 226]

YEAS—182

Abercrombie	Berman	Bryant (TX)
Ackerman	Bevill	Bunn
Andrews	Bishop	Cardin
Baesler	Blumenauer	Chapman
Baldacci	Bonior	Clay
Barcia	Borski	Clayton
Barrett (WI)	Boucher	Clement
Becerra	Browder	Clyburn
Beilenson	Brown (CA)	Coleman
Bentsen	Brown (OH)	Collins (IL)

Collins (MI)	Kanjorski	Pelosi
Conyers	Kaptur	Peterson (FL)
Costello	Kennedy (MA)	Pomeroy
Coyne	Kennedy (RI)	Rahall
Cramer	Kennelly	Rangel
Cummings	Kildee	Reed
Danner	Kleczka	Richardson
de la Garza	Klink	Rivers
DeFazio	LaFalce	Rose
DeLauro	Lantos	Roukema
Dellums	Levin	Roybal-Allard
Dicks	Lewis (GA)	Rush
Dingell	Lofgren	Sabo
Dixon	Lowey	Sanders
Doggett	Luther	Sawyer
Dooley	Maloney	Schroeder
Doyle	Manton	Schumer
Durbin	Markey	Scott
Edwards	Martinez	Serrano
Engel	Martini	Skaggs
Eshoo	Mascara	Skelton
Evans	Matsui	Slaughter
Farr	McCarthy	Spratt
Fattah	McDermott	Stark
Fazio	McHale	Stokes
Fields (LA)	McKinney	Studds
Filner	McNulty	Stupak
Flake	Meehan	Tanner
Foglietta	Meek	Tejeda
Ford	Menendez	Thompson
Frank (MA)	Millender	Thornton
Frost	McDonald	Thurman
Furse	Miller (CA)	Torkildsen
Gephardt	Minge	Torres
Gilman	Mink	Towns
Gonzalez	Moakley	Trafficant
Gordon	Mollohan	Velazquez
Green (TX)	Moran	Vento
Gutierrez	Morella	Visclosky
Hall (OH)	Murtha	Volkmer
Hefner	Nadler	Ward
Hilliard	Neal	Waters
Hinchey	Oberstar	Watt (NC)
Holden	Obey	Waxman
Hoyer	Olver	Williams
Jackson (IL)	Ortiz	Wilson
Jackson-Lee	Orton	Wise
(TX)	Owens	Woolsey
Jefferson	Pallone	Wynn
Johnson (SD)	Pastor	Yates
Johnson, E. B.	Payne (NJ)	
Johnston	Payne (VA)	

NAYS—235

Allard	Cox	Gunderson
Archer	Crane	Gutknecht
Armey	Crapo	Hall (TX)
Bachus	Creameans	Hamilton
Baker (CA)	Cubin	Hancock
Baker (LA)	Cunningham	Hansen
Ballenger	Davis	Hastert
Barr	Deal	Hastings (WA)
Barrett (NE)	DeLay	Hayworth
Bartlett	Diaz-Balart	Hefley
Barton	Dickey	Heineman
Bass	Doolittle	Henger
Bereuter	Dornan	Hilleary
Bilbray	Dreier	Hobson
Bilirakis	Duncan	Hoekstra
Bliley	Dunn	Hoke
Blute	Ehlers	Horn
Boehlert	Ehrlich	Hostettler
Boehner	Emerson	Houghton
Bonilla	Ensign	Hunter
Bono	Everett	Hutchinson
Brewster	Ewing	Hyde
Brownback	Fawell	Inglis
Bryant (TN)	Fields (TX)	Istook
Bunning	Flanagan	Johnson (CT)
Burr	Foley	Johnson, Sam
Burton	Forbes	Jones
Buyer	Fowler	Kasich
Callahan	Fox	Kelly
Camp	Franks (CT)	Kim
Campbell	Franks (NJ)	King
Canady	Frelinghuysen	Kingston
Castle	Frisa	Klug
Chabot	Funderburk	Knollenberg
Chambliss	Galleghy	Kolbe
Chenoweth	Ganske	LaHood
Christensen	Gekas	Largent
Chrysler	Geren	Latham
Clinger	Gilchrest	LaTourette
Coble	Gillmor	Laughlin
Coburn	Goodlatte	Lazio
Collins (GA)	Goss	Leach
Combest	Graham	Lewis (CA)
Condit	Greene (UT)	Lewis (KY)
Cooley	Greenwood	Lightfoot

Linder	Pombo	Smith (WA)
Lipinski	Porter	Solomon
Livingston	Portman	Souder
LoBiondo	Poshard	Spence
Longley	Pryce	Stearns
Lucas	Quillen	Stockman
Manzullo	Quinn	Stump
McCollum	Radanovich	Talent
McCrery	Ramstad	Tate
McHugh	Regula	Tauzin
McInnis	Riggs	Taylor (MS)
McIntosh	Roberts	Taylor (NC)
McKeon	Roemer	Thomas
Metcalf	Rogers	Thornberry
Meyers	Rohrabacher	Tiahrt
Mica	Ros-Lehtinen	Upton
Miller (FL)	Roth	Vucanovich
Molinari	Royce	Walker
Montgomery	Salmon	Walsh
Moorhead	Sanford	Wamp
Myers	Saxton	Watts (OK)
Myrick	Scarborough	Weldon (FL)
Nethercutt	Schaefer	Weldon (PA)
Neumann	Seastrand	Weller
Ney	Sensenbrenner	White
Norwood	Shadegg	Whitfield
Nussle	Shaw	Wicker
Oxley	Shays	Wolf
Packard	Shuster	Young (AK)
Parker	Sisisky	Young (FL)
Paxon	Skeen	Zeliff
Peterson (MN)	Smith (MI)	Zimmer
Petri	Smith (NJ)	
Pickett	Smith (TX)	

ANSWERED "PRESENT"—2

Goodling Jacobs

NOT VOTING—15

Bateman	Gejdenson	Lincoln
Brown (FL)	Gibbons	McDade
Calvert	Harman	Schiff
Deutsch	Hastings (FL)	Stenholm
English	Hayes	Torricelli

□ 1315

Messrs. SAXTON, ROEMER, HORN, and HOSTETTLER changed their vote from "yea" to "nay."

Mr. GILMAN changed his vote from "nay" to "yea."

So the motion to instruct was rejected.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

□ 1315

The Speaker pro tempore (Mr. WALKER).

Without objection, the Chair appoints the following conferees: Messrs. ARCHER, THOMAS, BLILEY, BILIRAKIS, GOODLING, FAWELL, HYDE, MCCOLLUM, HASTERT, GIBBONS, STARK, DINGELL, WAXMAN, CLAY, CONYERS, and BONIOR.

There was no objection.

## GENERAL LEAVE

Mr. CALLAHAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the bill, H.R. 3540, and that I may include tabular and extraneous material.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS APPROPRIATIONS ACT, 1997

The SPEAKER pro tempore. Pursuant to House Resolution 445 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 3540.

□ 1316

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 3540) making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 1997, and for other purposes, with Mr. HANSEN in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee of the Whole rose on Wednesday, June 5, 1996, the amendment offered by the gentleman from Indiana [Mr. BURTON] had been disposed of and the bill had been read through page 97, line 8.

Pursuant to the order of the House of Thursday, June 6, 1996, no amendments to the bill are in order except the following amendments, if offered by the member specified or a designee: amendments Nos. 54, 58, and 76 by the gentleman from Wisconsin [Mr. OBEY]; amendment No. 10 by the gentleman from Massachusetts [Mr. FRANK]; amendment No. 69 by the gentleman from Indiana [Mr. SOUDER]; and amendment No. 75 by the gentleman from New Jersey [Mr. ZIMMER].

Debate on each amendment and all amendments thereto will be limited to 20 minutes, equally divided and controlled by the proponent and an opponent, except that amendments Nos. 54 and 10 shall each be debatable for 45 minutes.

Consideration of these amendments shall proceed without intervening motion except one motion to rise if offered by the gentleman from Alabama [Mr. CALLAHAN].

AMENDMENT NO. 58 OFFERED BY MR. OBEY

Mr. OBEY. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 58 offered by Mr. OBEY: On page 97, after line 5, insert:

"SEC. 573. None of the funds made available under the heading 'Foreign Military Financing Program' may be made available for any country when it is made known to the President that the government of such country has not agreed to the Department of Defense conducting during the current fiscal year nonreimbursable audits of private firms whose contracts are made directly with foreign government and are financed with funds made available under this heading (as well as subcontractors thereunder) as requested by the Defense Security Assistance Agency."

The CHAIRMAN. The gentleman from Wisconsin [Mr. OBEY] will be recognized for 10 minutes in support of the

amendment, and the gentleman from Alabama [Mr. CALLAHAN] will be recognized for 10 minutes in opposition to the amendment.

The Chair recognizes the gentleman from Wisconsin [Mr. OBEY].

Mr. OBEY. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, this amendment restores through a limitation a requirement that foreign countries agree to an outside audit as a condition of receiving FMF grants from the United States. It was included in the foreign operations bill some time ago as a result of several rather notable bribery cases involving U.S. funds and foreign officials.

It is my understanding that the chairman is prepared to accept this amendment because it is drafted as a limitation. Its effect is slightly different than current law. I can assure the chairman I have no intention to change current law, and would work with him in conference to restore the language of current law in the appropriate place in the bill.

Mr. CALLAHAN. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I accept the amendment. I have no objection.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin [Mr. OBEY].

The amendment was agreed to.

AMENDMENT NO. 76 OFFERED BY MR. OBEY

Mr. OBEY. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 76 offered by Mr. OBEY: On page 97, after line 5, insert:

"SEC. 573. Not more than 100,000,000 of the funds made available under the heading 'Foreign Military Financing Program' may be made available for use in financing the procurement of defense articles, defense services, or design and construction services that are not sold by the United States Government under the Arms Export Control Act to countries other than Israel and Egypt."

The CHAIRMAN. The gentleman from Wisconsin [Mr. OBEY] will be recognized for 10 minutes in support of the amendment, and the gentleman from Alabama [Mr. CALLAHAN] will be recognized for 10 minutes in opposition to the amendment.

The Chair recognizes the gentleman from Wisconsin [Mr. OBEY].

Mr. OBEY. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, again, this amendment restores language, again through the device of a limitation which has been carried in the foreign operations bill for several years. It limits to \$100 million the amount that can be spent for direct commercial contracts, except for Egypt and Israel. Its effect is to limit the extent to which countries can contract on their own for goods and services and thereby escape the oversight requirements of the Export Control Act.

Mr. Chairman, it is again an anti-fraud safeguard. I attempted during debate on the bill last week to restore this language in identical form in the appropriate place in the bill, but the gentleman from New York [Mr. GILMAN] made a point of order against the amendment because it was legislative in nature. Because I feel so strongly about the need to include this provision in the legislation, I am now offering it in the form of a limitation.

Again, because of the requirement to do so in this form, its effect is slightly different than the current law, but it is my understanding that the chairman will accept the amendment. I can assure him I have no intention of changing current law, and will work with him to bring it into compliance as we meet in conference.

Mr. CALLAHAN. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I do intend to accept the amendment, but before the vote, I had agreed with the gentlewoman from Texas [Ms. JACKSON-LEE] that we would enter into a colloquy. She has a committee hearing that she has to attend to, and I agreed to let her come in at this point to have a colloquy.

Mr. OBEY. Mr. Chairman, if the gentleman would yield for just a second before doing that, I also have an agreement to yield to the gentleman from Texas [Mr. WILSON] on the remainder of my time.

Mr. Chairman, I yield such time as he may consume to the gentleman from Texas [Mr. WILSON].

Mr. WILSON. Mr. Chairman, I simply rise to read into the RECORD a letter that I received from the Turkish Ambassador early this week:

DEAR MR. CONGRESSMAN: Yesterday's House action in adopting two anti-Turkey amendments to the FY 1997 foreign aid bill is not fitting for U.S.-Turkish relations. I cannot overemphasize the importance of these issues in Turkey. It was inevitable that House passage of these amendments would provoke a strong reaction from the Turkish people, who question anew the benefits of our five decades of alliance with the United States and self-sacrificing support for U.S. policy.

The initial step we have taken in response is to inform the U.S. Government that Turkey declines U.S. economic assistance. The basis of our friendship with the United States has never been foreign aid, even in years past when the amounts were much greater. Rather, our friendship has been based on shared interests, interests which are gravely jeopardized by yesterday's developments.

Nevertheless, I do want to recognize that many Members stood up for strong U.S.-Turkish friendship. I want to express my appreciation to you for your leadership against these pernicious amendments. I hope you will continue to work to ensure that these provisions are not enacted into law, and offer you my total cooperation.

Mr. Chairman, I read that into the RECORD just to emphasize one more time what I consider to be the grave consequences that resulted from what I considered to be unwise action.

Mr. CALLAHAN. Mr. Chairman, will the gentleman yield?

Mr. WILSON. I yield to the gentleman from Alabama.

Mr. CALLAHAN. Mr. Chairman, I think the gentleman makes an excellent point that many times we get wrapped up in debate on the floor of this House and we do not recognize what an audience worldwide we have. Last week the House sent a strong message to Turkey about something that took place decades ago and yet we do not chastise or demand certain apologies from other countries who have committed atrocities, even in later years.

I agree with the gentleman from Texas about his concern. I have the same letter from the ambassador, and I think that the Congress made a mistake in the language that we inserted in the bill. I hope that it will not cause any injury to the fact that Turkey is a tremendous ally of ours in any NATO endeavor, and I hope that this Congress will not forget that during the Persian Gulf war and during other wars, Turkey has always been there, and that we have bases that we are utilizing in Turkey that are strategically important to our national defense and to the defense of other allies of ours throughout the world.

So I think we made a mistake. But the debate was heard, and it is a lesson to all of us that what we say here is very important.

Mr. WILSON. Mr. Chairman, that is right.

Mr. CALLAHAN. Mr. Chairman, what we say on the floor of this House is taken very seriously by countries all over the world, and I hope that some day we will be able to convey our appreciation to the Turks for the contributions that they have made in the past.

Mr. WILSON. Mr. Chairman, I thank the gentleman from Alabama very much, and I would simply remind him that if the Turks wanted to today, they could open the spigot on the Iraqi pipeline and bust the embargo, just as one example.

Mr. CALLAHAN. Mr. Chairman, I yield such time as she may consume to the gentlewoman from Texas [Ms. JACKSON-LEE].

Ms. JACKSON-LEE of Texas. Mr. Chairman, at this time I would like to enter into a colloquy with the gentleman from Alabama regarding human rights in Ethiopia, as the House continues to consider this foreign aid bill.

Let me thank the chairman, first of all, for the work that he has done with my office as we have worked on this, even last year, as the gentleman may recall. I think it is very important that we move forward on this issue.

Mr. CALLAHAN. Mr. Chairman, will the gentlewoman yield?

Ms. JACKSON-LEE of Texas. I yield to the gentleman from Alabama.

Mr. CALLAHAN. Mr. Chairman, I am happy to enter into a colloquy with the gentlewoman from Texas.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I thank the distinguished

chairman of the House Committee on Appropriations Subcommittee on Foreign Operations, Export Financing and Related Programs for participating, as I said, in this colloquy, especially in light of the limited time that we have remaining to debate this important legislation.

There are numerous reports that the Ethiopian Government is harassing and unfairly detaining journalists, academicians, opposition party officials and other citizens. These events raise questions about freedom of speech, freedom of the press and the independence of the judiciary within Ethiopia.

I know that we have come a long way, Mr. Chairman, but I would ask the question, does the gentleman think that the United States Government should do more to support human rights in Ethiopia as we move this foreign operations bill forward?

Mr. CALLAHAN. Mr. Chairman, yes. I encourage the State Department, as a matter of fact, to carefully assess the situation in the country and use its influence with the Ethiopian Government to encourage them to improve human rights. I would note that the current government in Ethiopia is light years ahead of the former regime in terms of human rights.

Ms. JACKSON-LEE of Texas. Mr. Chairman, as the gentleman recalls, I successfully offered an amendment to the 1996 foreign operations appropriations bill which requires the State Department to closely monitor human rights progress in Ethiopia as it monitors funds for Ethiopia. We have been in dialog with the State Department, I have had a briefing, and that is why I rise again today. We realize that all is not well, even though possible progress may have been made.

The gentleman supported my amendment. As the State Department obligates the funds for Ethiopia in fiscal year 1997, I think that it is still critically important that the department continue to carefully monitor the country's human rights progress. Some progress has occurred but much remains to be done.

I strongly believe that Congress should be on record in the debate on H.R. 3540, the foreign operations appropriations bill for fiscal year 1997, as encouraging the State Department to continue this monitoring of Ethiopia. Does the gentleman from Alabama agree?

Mr. CALLAHAN. Mr. Chairman, yes, I do agree. I believe that it is our role as Members of Congress not to dictate foreign policy to the executive branch but to express strong messages of concern to the State Department on human rights violations by countries who receive U.S. foreign assistance.

□ 1330

I am pleased that we have had this opportunity to discuss this important issue.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I thank the gentleman for

his kindness in allowing me to again bring this very important issue to the Congress. I appreciate his interest and concern about this matter. The numerous citizens in Houston and around the country who trace their ancestry to Ethiopia and all Americans who believe in democracy and human rights appreciate as well the opportunity to focus the Nation's attention on this issue.

I do believe with the ability of the State Department to continue to monitor these human rights violations that we will find ourselves better placed to assist the Ethiopian people and those of Ethiopian ancestry.

Mr. CALLAHAN. Mr. Chairman, I have no objection to the Obey amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin [Mr. OBEY].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. ZIMMER

Mr. ZIMMER. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. ZIMMER: Page 97, after line 5, insert the following:

PROHIBITION ON DEVELOPMENT OF SHOPPING CENTER NEAR THE FORMER AUSCHWITZ CONCENTRATION CAMP

SEC. 573. It is the sense of the Congress that the Government of Poland should prohibit development of a shopping center within the 500-yard protective zone surrounding the former Auschwitz concentration camp in the town of Oswiecim, Poland.

Mr. CALLAHAN. Mr. Chairman, I reserve a point of order on the gentleman's amendment.

The CHAIRMAN. The gentleman from New Jersey [Mr. ZIMMER] will be recognized for 10 minutes, and a Member opposed will be recognized for 10 minutes.

The Chair recognizes the gentleman from New Jersey [Mr. ZIMMER].

Mr. ZIMMER. Mr. Chairman, I yield myself such time as I may consume.

The amendment I am offering is very straightforward. I would put the Congress of the United States on record opposing commercial development within the internationally recognized protective zone surrounding Auschwitz, the former Nazi death camp in Poland. I know that a point of order is being reserved because of technical rules rather than substance by the chairman of the subcommittee, but I strongly believe that the voice of Congress should be heard on this matter. The foreign operations appropriations bill before us is an appropriate vehicle given the nearly \$70 million in assistance that we give to Poland.

Mr. Chairman, this is a very timely amendment. Last year, a developer put into motion plans to construct a shopping mall immediately opposite the Auschwitz main gate and within a 500-yard protective zone that surrounds Auschwitz. The proposed mall included

retail stores, a supermarket, a fast food stand, and a large parking lot.

In March, the Polish Government officially halted the project after worldwide criticism denouncing it as desecration of the world's largest Holocaust site. The Government at the time said its decision was final. Yet just last week, wire services reported that the project developer had resumed construction in defiance of the Government's order and continued work for 2 days before construction was again suspended.

Mr. Chairman, Auschwitz is a place of profound significance. It is a haunting reminder of the depravity and corruption that humanity at its worst is capable of. That reminder is the most powerful protection we have against such horrors occurring again.

Auschwitz is also a precious memorial to the lives of 1½ million people, mainly Jews, whose lives were so horribly sacrificed to that depravity and that corruption.

The idea of stores, a supermarket, and fast food stands being built within the protective boundaries of Auschwitz assaults both intellect and sensibility. It is an insult to those who died in the Holocaust. It is an insult to those who survived the Holocaust, and it is an insult to all of us the world over who believe that the significance of Auschwitz must never be distorted or lost.

The Government of Poland has stated emphatically that it will not allow such commercial development to go forward. I applaud that promise and the efforts the Government has made to keep it. I hope the entire Congress will go on record joining this opposition to what is nothing less than an act of sacrilege.

Mr. Chairman, I yield 2 minutes to the gentleman from New Jersey [Mr. SAXTON].

Mr. SAXTON. Mr. Chairman, first let me commend the gentleman for bringing this amendment to the floor today. I think it is of great importance and my personal thanks to him for doing so.

Mr. Chairman, I have often been amazed during my time in the Congress by some of the incredible events that occur from time to time that are brought to our attention. I have seldom been appalled. Today I am appalled, appalled at the proposal of a developer in Poland to build a commercial development right next to Auschwitz death camp. Imagine if you will for just a moment a strip mall built at a place, for example, inside Arlington Cemetery, just about the same thing. I cannot believe that you can honor the millions of Catholics and Gypsies and Jews slaughtered by the Nazis with this kind of development.

This is desecration and, frankly, I think it pretty sick.

I call on the Polish Government to honor its commitment to disallow this project, and I call on the United States Government to use its full authority to assist the Polish Government in this endeavor.

Once again, I want to commend the gentleman from New Jersey [Mr. ZIMMER] for bringing this to the floor today.

Mr. CALLAHAN. Mr. Chairman, further reserving my point of order, I would also like to thank the gentleman for bringing this issue to the attention of this Congress. Many Americans and a lot of Members of this House share the concerns that the gentleman has expressed. However, since the amendment is legislative in nature and should be addressed by the Committee on International Relations, I hope he brings this issue to the attention of the gentleman from New York [Mr. GILMAN], the chairman of the authorizing committee.

Since the amendment is legislative, I would hope the gentleman would withdraw his proposal. If this issue has not been resolved to the gentleman's satisfaction or at least fully considered by the appropriate committee of the House by the time of conference with the Senate, I pledged to the gentleman that I will do my best to include language in the statement of the managers similar to his amendment. But once again, I thank him for bringing his amendment to the attention of the House and his willingness to hopefully withdraw the amendment.

Mr. ZIMMER. Mr. Chairman, based on those assurances, I will withdraw the amendment. Before doing so, I yield such time as he may consume to the gentleman from New York [Mr. ENGEL] who has introduced freestanding legislation on this subject some months ago.

Mr. ENGEL. Mr. Chairman, I thank the gentleman from New Jersey for yielding me the time.

I just wanted to comment on this. I have, as the gentleman says, submitted a resolution talking about the events outside of the Auschwitz death camp. I want to make just a couple of very brief points. That is, I think we all agree that it is totally inappropriate to think about any kind of mall or commercial development at actually such a place that should almost be sacred ground with so many people murdered and martyred there.

I think it is an absolute outrage that this mall would even have been contemplated being built. It violates agreements that the Polish Government has made internationally, stating that within a certain amount of feet or meters from the Auschwitz death camp that nothing like this could happen. It is absolutely an outrage that one would even consider. And when you consider that the town is 7 kilometers away, it is even more insulting to think that a mall could not have been built in the town or near the town but would be built at the entrance, to the infamous entrance to the death camp where those horrible words, those lies, *Arbeit Macht Frei*, work makes you free, were put by the camp.

So many of us have been trying for many, many months to point out this

outrage and to get the assurance from the Government of Poland that this would not continue. I must say the Government of Poland, to its credit, has shown that it does not want the mall to be built, has attempted to give me assurances that it will not be built. And I would hold them to their word. I think it is very, very important that a government that makes these international agreements adheres to them.

I just want to say to my colleague from New Jersey and to others who have expressed similar concerns and outrage with the thought of this happening that I intend to pursue my resolution which is cosponsored by the other gentleman from New Jersey [Mr. SAXTON]. We will pursue it in the Committee on International Relations. We think it is appropriate that Congress goes on record as opposing it.

I do, again, want to say that I am happy that we have been getting positive responses from the new leaders of Poland and from the Polish Government who have told us that this will not be built. With those assurances and the fact that it is bipartisan and we are going to work to pass my resolution, I welcome the help and support of the gentleman from New Jersey.

Mr. GILMAN. Mr. Chairman, I want to take the opportunity to commend the gentleman from New Jersey [Mr. ZIMMER] for his pending amendment, which would express the sense of Congress that the Government of Poland ensure that construction never takes place at the site of the infamous Auschwitz concentration camp.

Although we have received commitments from the Polish Government that they will not permit development at Auschwitz, periodically there are problems with local developers. Accordingly, the Polish authorities are to be commended for their commitment to the sanctity of Auschwitz and the memories of the millions of innocent men, women, and children who crossed its portals.

However, as our concern is still appropriately registered on this sensitive matter, I am pleased to cosponsor this amendment with Mr. ZIMMER. Under leave that will be obtained I would request that the statement issued last week by the Polish Government be made a part of the RECORD.

EMBASSY OF THE REPUBLIC OF POLAND,  
Washington, DC, June 5, 1996.

As regards the latest Reuter release on the alleged resumption of the construction of a shopping center near the state Museum of Auschwitz-Birkenau, please be informed of the following—as received from official sources in Warsaw:

1. No construction work has been resumed.
2. There is no change in the clear position of the Government of Poland, as well as of the local authorities concerning the decision to halt the construction made on March 22.
3. The press spokesperson of the Government called the announced intention of the developer to resume the project "the investor's lawlessness". Moreover, the Chief of the Office of the Council of Ministers while confirming the previously undertaken decision of the Government, emphasized its firmness to execute the decision by administrative measures.

Mr. ZIMMER. Mr. Chairman, I ask unanimous consent to withdraw my amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

AMENDMENT OFFERED BY MR. OBEY

Mr. OBEY. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. OBEY: On page 97, after line 5, insert:

"SEC. 573. None of the funds appropriated under the heading 'International Military Education and Training' may be made available for Cambodia and Thailand."

The CHAIRMAN. The gentleman from Wisconsin [Mr. OBEY] will be recognized for 22½ minutes and a Member in opposition will be recognized for 22½ minutes.

The Chair recognizes the gentleman from Wisconsin [Mr. OBEY].

Mr. OBEY. Mr. Chairman, I yield 4 minutes to the gentleman from Indiana [Mr. ROEMER] who has some comments he wants to make about an amendment that was left out of the agreement.

Mr. ROEMER. Mr. Chairman, I thank the gentleman from Wisconsin for yielding his time to me.

I will not offer this amendment. I am precluded from offering this amendment due to the UC that was arrived at last week, but I think that this was a noncontroversial amendment that both Republicans and Democrats would have agreed to. We had it in the June 5 RECORD last week, amendment number, it was actually H.R. 3540, amendment No. 78, page 97. This amendment dealt with the ongoing conflict between the Russians and the Chechens.

Certainly on last year's foreign operations bill, we got up and we spoke about the need to bring an end to this war that has killed probably over 30,000 Chechens and maybe close to 5,000 Russians. This ongoing war threatens not only the human rights situation in Russia. It threatens their economic stability, when they are transferring so much money that we are loaning through the IMF, trying to bring their economy back to stability and back to growth, when they are now taking this money to fight a war and kill Chechens day after day in a brutal and inhuman manner.

We attached some successful legislation last year to the foreign operations bill that cut \$5 million out of aid to Russia, saying we must bring an end to this war. And this is a signal from the American people and the U.S. Congress that we want to see it end now. No longer will this war go on. We are not going to subsidize this war.

I think it was successful. Now they have entered into successful negotiations where they have exchanged protocols over the weekend, where they have agreed on exchange of prisoners. They have agreed on a cease-fire. This resolution simply says they have broken half a dozen cease-fire agreements already, stick to this one.

The Congress applauds you. Republicans and Democrats applaud Mr. Yandarbiyev and Mr. Yeltsin for this agreement. Stick to it and stick to it after the June 16 election in Russia. I know the gentleman from Virginia [Mr. WOLF] has been over to Chechnya and seen this conflict and this tragedy go on and on and on, when the Russians first engaged the Chechens and thought they could overrun this country in a period of a couple days.

Well, 18, 19, 20 months later we still see this brutality going on. So this resolution simply says, keep up the good work on diplomatic negotiations. Please abide by the two protocol agreements signed over the weekend. Please try to come to some kind of resolution on the territorial status of Chechnya and after the elections continue this good will and this diplomacy.

I would hope that in conference that the distinguished chairman would continue to bring this kind of issue before the State Department and make this a priority. I hope that in some way with this dialog and hopefully with the colloquy and Members with like interests, the gentleman from Alabama [Mr. CALLAHAN] and the gentleman from Virginia [Mr. WOLF] and others, that we can keep this issue as a vital part of foreign policy between the United States and the Russian people.

□ 1345

Mr. CALLAHAN. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, in response to the gentleman from Indiana [Mr. ROEMER], let me say that I am glad that he brought this to the attention of the House. It is rather amazing to me how we can pick on a little country like Indonesia and at the same time be sending millions of dollars to Russia and letting them slaughter 30,000 people in Chechnya and not even mentioning it in this bill.

So I think that the gentleman is absolutely correct in bringing this issue to the attention of the Congress, and we will certainly address this issue at some point in conference.

Mr. ROEMER. Mr. Chairman, I thank the gentleman.

Mr. CALLAHAN. Mr. Chairman, I yield such time as he may consume to the gentleman from Virginia [Mr. WOLF] for a colloquy.

Mr. WOLF. Mr. Chairman, I just wanted to bring to the attention of the body there is a man named Robert Hussein who was converted to Christianity in Kuwait. As a result of his conversion to Christianity on May 29, a court in Kuwait has found him guilty, and the punishment is potential death. And the endangered species in this world today that we talk about so much are Christians. Christians are being persecuted around the world more today than any other time in this century, and I just wanted to urge the gentleman from Alabama if he would follow this because, if he recalls, and I know he does,

during the 1980's we in a bipartisan way, Republicans and Democrats, stood firm with those of the Jewish faith who were persecuted in Russia. In fact, I am concerned that the persecution will begin again after this election. They are basically privatizing anti-Semitism in Russia.

So it is important for us to rally to the defense of those who are being persecuted, and because of so many Christians being persecuted in the Middle East and other places, and Robert Hussein, who has been potentially sentenced to death, and the fact that the United States Government sent hundreds of thousands of troops in defense of Kuwait and 300 Americans died, if the gentleman from Alabama would be sympathetic in following this issue, particularly later this year, but next year if this does not change, or if anything should happen to Mr. Hussein.

Mr. CALLAHAN. Reclaiming my time, Mr. Chairman, let me say that I just found out about this atrocity that is evidently going to take place, or possible could take place in Kuwait, and I cannot fathom any government in any land condoning the execution of an individual for switching religions, especially to Christianity. And for me to hear this is most appalling.

I should remind the Kuwait Government, just as we reminded the Turkish Government, erroneously so I think, about something that took place. A great majority of the people that came to defend Kuwait, that granted them the sovereignty over their nation, were Christian people. It is an insult, in addition to being absolutely morally wrong, it is an insult to the American people to have that government at this point begin to condemn to death people who choose a certain religion.

So I appreciate very much the gentleman bringing the matter to the attention of the floor. I hope that some Kuwaiti representatives are listening somewhere, and I hope that they hear our message, that this is not something that we in the United States can or should tolerate.

Mr. WOLF. I thank the gentleman from Alabama [Mr. CALLAHAN] for that very strong statement.

Mr. Chairman, on May 29, 1996, a judge in the Kuwaiti family court declared Robert Hussein to be an apostate. The judge, Amar Al-Sabiti, also gave a written ruling stating that Mr. Hussein's wife should be divorced from him and his possessions should be distributed among his heirs and he could be killed. "The Imam [ruler] should kill him without a chance to repent."

Hussein Qambar Ali, a convert from Islam to Christianity, is in the midst of a national court case. This decision by the court sets a precedent as to whether or not the Kuwaiti Constitution will be interpreted under Islamic Sharia law. This would mean that the constitutional religious freedom guarantees would be void and a convert—or apostate—could be killed with impunity.

Hussein has changed his name to Robert Hussein. Robert got into this situation through a court case over the custody of his children.

His estranged wife, a Muslim, will not allow him to see his children despite his winning custody of them in court. Robert returned to court to have the decision enforced, and everything has been in an uproar as Hussein publicly confessed his conversion to Christianity.

Several Muslim lawyers have filed cases against Hussein wanting him to be charged with apostasy. Members of Parliament have called for his death. Hussein has had to live in hiding, has lost his family business due to his family not allowing him to be part of it as he is no longer a Muslim. The Sharia family court is looking at the case to see if it has jurisdiction or if this is a civil matter because it deals with Hussein's civil rights: child custody, inheritance, and most importantly, freedom of religion.

The United States still has troops in Kuwait. American troops died while fighting to protect Kuwaiti from Iraq and Saddam Hussein.

We should urge the Kuwaiti Government to make a public statement supporting Hussein's constitutional rights and his freedom of religion and guaranteeing his protection from death threats from those who want to kill him. Also, the Kuwaiti Government should ensure that their judicial process has integrity, both in the legal representation Hussein should have, which he does not have, and in showing the legitimacy of Kuwait's Constitution—Will it stand?

Mr. Chairman, I yield such time as he may consume to the gentleman from New York [Mr. GILMAN].

Mr. GILMAN. Mr. Chairman, I want to thank the gentleman for bringing to the floor's attention this violation of human rights. Any time we find intolerance with regard to religion is something the entire Congress should stand up and fight against, and for that reason I commend the gentleman for his efforts and want to join with him in expressing abhorrence of what Kuwait has done with regard to this case.

Mr. CALLAHAN. Reclaiming my time, Mr. Chairman, I once again rise reluctantly in opposition to the amendment that the gentleman from Wisconsin would offer, because I deeply respect his vast knowledge of world affairs.

However, while I hold my friend's foreign policy views in high regard, I must tell him that I do not think that this amendment will achieve his objective. It will simply undermine, I think, our relationship with a key friend in South Asia.

The United States has an extensive security relationship with the Government of Thailand. Our military conducts numerous joint exercise programs with the Thai military, including frequent port visits by the United States Navy. The United States also actively collaborates with the Thai military.

In addition, the prepositioning of munitions and other military equipment improves the readiness and logistical reach of United States forces in this region.

Thailand's cooperation and reconnaissance support for our counterdrug effort is essential to the United States ability to cut drug trafficking in Asia.

And finally, Thailand is equally essential to the success of the Joint Task Force for Full POW-MIA Accounting and its effort to answer the remaining questions about Americans missing in action.

IMET training itself is invaluable for the Thai military. In my opinion, it improves professional conduct and capabilities of the Thai military while training them to improve, at the same time, their human rights performances.

So I hope that the gentleman will see my view on this. Recognizing how I respect him, I will also assure the gentleman from Wisconsin [Mr. OBEY] that I will work closely with the gentleman to strengthen language to emphasize the message he is trying to give and that I will work with him to put strong language in the bill in conference.

Mr. OBEY. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, let me first of all take just a moment to comment on the remarks of the gentleman from Virginia [Mr. WOLF] with respect to Kuwait. I am certainly not familiar with the incident to which he referred, but let me say that, as one Member of Congress, I have to say that I have never in my life found a government or a royal family as arrogant or as condescending as the Kuwaiti Government and royal family, and I have never seen a government more quick to pursue its own personal and political interest above the interests of its own people more than the Kuwaiti Government.

I will never forget going to Kuwait City after Kuwait had been liberated by NATO and United States forces, talking to a good many Wisconsin GI's who were in Kuwait who told me that, when the first United States aid came into Kuwait City, that we had Kuwaiti officials saying to them, "Yes, do send it into this neighborhood; no, don't send the aid into that neighborhood," because the latter neighborhood had been populated by people who were not political supporters of the royal family. So they were perfectly willing to see loyal Kuwaiti citizens denied assistance after that war simply because of their political beliefs.

So I would certainly join with the gentleman from Alabama [Mr. CALLAHAN] in expressing the desire to do whatever can be done from the outside to affect the conduct of that government, which I found to be incredibly arrogant and insufferable through the years that I have had any experience dealing with them.

Mr. Chairman, I yield 2 minutes to the gentleman from Texas [Mr. WILSON] before I make my statement on the amendment that is before us, after which I will withdraw the amendment.

Mr. WILSON. Mr. Chairman, I would like to have a colloquy with the gentleman from Virginia [Mr. WOLF].

Notice has been given of a hearing before our subcommittee chaired by the gentleman from Alabama [Mr. CALLAHAN] on which we all serve, and this concerns Kuwaiti business practices,

this hearing. I believe it is in about 2 weeks, and I would be curious to know, and I would encourage, that perhaps we might expand that hearing on this business practices to include this matter that the gentleman brought before the House.

Mr. WOLF. Mr. Chairman, will the gentleman yield?

Mr. WILSON. I yield to the gentleman from Virginia.

Mr. WOLF. That would be wonderful because I am very concerned about the man's life. He has been threatened and sentenced to actually death, so I think it would be good if the gentleman and Mr. CALLAHAN would do that.

Mr. WILSON. Mr. Chairman, it is, of course, up to the gentleman from Alabama, but the hearing is scheduled for June 19; that is next week.

Mr. CALLAHAN. Mr. Chairman, would the gentleman yield?

Mr. WILSON. I yield to the gentleman from Alabama.

Mr. CALLAHAN. Mr. Chairman, I have no reservation whatsoever about including this subject matter in the hearing that we have scheduled. The hearing we have scheduled is to discuss some of what I think are unfair business practices by the Government of Kuwait. But we can include human rights as well, and certainly this is a gross human rights violation, and I think that we should, and I will, after consultation with the gentleman, be happy to include in our hearing or part of our hearing a discussion of this execution that is pending there.

Mr. WOLF. Mr. Chairman, if the gentleman would continue to yield, I want to thank the gentleman from Alabama [Mr. CALLAHAN] for doing that, and the gentleman from Texas [Mr. WILSON], I thank him for bringing that to our attention.

Mr. OBEY. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, having dispensed with all of that, let me now explain what it is that has motivated me to bring this proposal before the body.

Mr. Chairman, I will acknowledge that choosing the route of limiting IMET funds in order to get at this problem is a blunt instrument. The problem is that there are no other instruments available at this point. We have a very serious problem in that we are concerned about continuing timber sales by the Khmer Rouge, sales which are occurring with the complicity both of the Cambodian Government and the Thai military.

Last year this committee heard allegations that both the Cambodian and Thai military were cooperating in facilitating the sale of tropical timber from areas controlled by the Khmer Rouge in Cambodia. As a result, last year's bill contained language which is repeated in this year's bill which requires the President to terminate assistance to any country organization that he determines is cooperating tactically or strategically with the Khmer Rouge and military operations

or which is not taking steps to prevent a pattern or practice of commercial relations between its members and the Khmer Rouge.

Now, for those of my colleagues who have forgotten, the Khmer Rouge are those people who are responsible for the slaughter, the wholesale slaughter, of millions of innocent people because they were even more fanatic than the Red Guards under Mao Tse-tung in China, and they just wiped out millions and millions of people.

Mr. Chairman, the problem with the language that was contained in the bill last year is that it was worded in a way as to be worthless because it does not fit the facts of what is going on. In fact, the Thai military is allowing private Thai companies to develop commercial relations with the Khmer Rouge to buy their timber and then allow its transport through their territory. So the pattern of commercial relations takes place between the companies themselves and the Khmer Rouge, not the military in the Khmer Rouge; and therefore the language of the bill last year was circumvented.

I am told that that means that the Khmer Rouge are, through this device, through this ruse, are obtaining \$10 million or \$20 million a month. Now, I do not think Americans want to see the Khmer Rouge get a dime, and I certainly do not think they want us to have an aid relationship with a country, with a government, which is facilitating the delivery of that kind of assistance to some of the most blood thirsty people in the history of the planet.

And so I offer this language because it was the only way that we could reach either of the governments in power.

I would say that the Prince of Cambodia himself was recently quoted in the press as saying, quote, "Thai traders in the Khmer Rouge would surely find a way to make a deal to export felled logs from its controlled area so the legitimate Cambodian Government would lose income." So I guess what he is saying is "If you can't beat them, join them." It seems to me that we have got to find a way to shut this down, and that is why I suggested this amendment.

But I know the administration has great concerns about going after IMET; in this case for other reasons. And so what I would like to do is to withdraw the amendment, with the understanding that the subcommittee chairman would help in conference so that we can try to strengthen the language which is in the existing bill so that we do not, to the greatest extent possible—we end the fact that government to which we are providing aid seems to be cooperating in a device by which money is allowed to flow to the hands of some of the bloodiest fools in the history of this world.

□ 1400

Mr. BEREUTER. Mr. Chairman, will the gentleman yield?

Mr. OBEY. I yield to the gentleman from Nebraska.

Mr. BEREUTER. I thank the distinguished ranking member of the Committee on Appropriations for yielding.

Mr. Chairman, I certainly share the gentleman's concern about the activity that is going on and the complicity, at least among commercial interests there, perhaps involving the governments as well. I do appreciate the gentleman's statement that the IMET tool is a blunt instrument and probably not the way to proceed. I think we have perhaps a more effective way to pressure the parties concerned, and that might be through the international community's massive financial support for the Government of Cambodia.

There is an op-ed piece in today's Washington Post on this very subject. In fact, this gentleman brought a resolution to the floor which was passed last March expressing the concern of what is happening in Cambodia.

What I think we might focus on is that July 11 and 12 donors meeting, a donors conference on Cambodia. I think that offers the international community a golden opportunity.

We could call on the United States to take the lead at this meeting to impress upon the leaders in Phnom Penh who clearly play a part in this continuing problem of logging the KR-controlled territory. We could call on them for the recognition that there is a need for sustainable logging practices and transparency in government contacting that I think could help resolve the KR's logging issue, and therefore avoid problems with Thailand and with the Government of Cambodia.

So I offer that suggestion which I think all of us should pursue, and advance it here for the administration to consider making it a priority at that July 11 and 12 meeting.

Mr. OBEY. Mr. Chairman, I thank the gentleman for his comments. Let me simply say, I think we need to understand that in addition to everything else I have said, in the meantime the Khmer Rouge are continuing to plant new land mines every blessed day they can. That further displaces innocent Cambodians, and it just seems to me that the worldwide community has an obligation to respond to this problem.

I would say that, with the concurrence of the subcommittee chairman, I will withdraw this amendment with the understanding that if we cannot get some language that really does the trick this year, and if we cannot get other action coming in other ways as the gentleman from Nebraska suggested, then blunt instrument or no, it will leave me with no alternative but to go after IMET next year and I intend to do it with a vengeance.

Mr. CALLAHAN. Mr. Chairman, if the gentleman will yield before withdrawing his amendment, let me just say that I share the goal of the gentleman from Wisconsin. I think that we cannot tolerate the type of activity for which he is concerned. However, I do not think that this is the way to do it.

I appreciate very much the gentleman's position. I do pledge to work with him to ensure that our amplified message is given to those governments, that we are not going to tolerate this and that indeed, if they do not change or unless they show some indication of nonsupport, that we are very seriously going to consider next year the possibility of reducing the IMET Program there. But I appreciate very much the gentleman withdrawing the amendment.

Mr. OBEY. I thank the chairman. As I say, I recognize that IMET is a blunt instrument to use, so it may be the wrong way to proceed. We will now have a year to find out, and if we do not get some real action that affects things in real ways on the ground, we will have no choice but to go back at it next year.

Mr. BEREUTER. Mr. Chairman, H.R. 3540 allows continued International Military and Education Training [IMET] for Thailand and Cambodia. The Obey amendment would prohibit IMET for these countries. Passage of the Obey amendment will not save the taxpayers one dime, but would merely force the administration to move the IMET funds to some other countries.

This Member considers such a prohibition unwarranted and unwise. Here is why.

Thailand is a long-time treaty ally with a democratic form of government, located along key strategic international waterways. American forces conduct more than 40 joint exercises with Thailand each year—more than any other country in Asia. These exercises are important to the readiness and training of American, as well as Thai, forces in Asia. Moreover, Thailand provides the Seventh Fleet with easy access to its military facilities when needed, most recently during Desert Shield and Desert Storm. Particularly in light of the closure of our basis in the Philippines, use of Thai facilities allows us to maintain our forward deployed presence in the crucial Southeast Asia/Indochina region.

The close military-to-military ties we enjoy with Thailand are fostered by the fact that so many military leaders in Thailand have been trained in the United States through the IMET program. Not only does this American training provide us access to key Thai leaders, but it also engenders a natural preference for U.S. military hardware and supplies. The sale of defense equipment to Thailand allows important interoperability with U.S. forces in the region and creates high-paying American jobs in the important manufacturing sector. Just recently McDonnell Douglas won a \$600 million contract for fighter aircraft to Thailand.

#### THAI-KR COOPERATION

The basis for today's Obey amendment is evidence of continued commercial cooperation between some Thai companies and the genocidal Khmer Rouge forces in neighboring Cambodia. This Member's staff has been fully briefed on this issue, and I know it would be naive to suggest that no such cooperation exists, particularly in the logging industry. Despite this commercial cooperation, however, there remains some question about the extent of Thai Government involvement and complicity in this trade.

In this Member's view, the use of IMET funding, both for Thailand and Cambodia, as



a stick against commercial cooperation with the KR is misguided. A much more effective way to pressure the parties concerned is through the international community's massive financial support for the Government of Cambodia.

The upcoming July 11–12 Donors' Conference on Cambodia offers the international community a golden opportunity. This Member calls on the United States to take the lead at this meeting to impress upon the leaders in Phnom Penh—who clearly play a major part in the continued problem of logging in KR-controlled territory—of the need for sustainable logging practices and transparency in government contracting which would contribute much to resolving the KR logging issue. The international community still provides 40 percent of the national budget of Cambodia and should use this leverage to promote more responsible policies on Cambodia's leaders.

#### CAMBODIA HUMAN RIGHTS

This Member also believes we should use the Donors' Conference to improve human rights and democracy in Cambodia. On March 26, 1996, this body passed House Resolution 345, which this Member introduced, which expresses serious concern about deteriorating human rights conditions in Cambodia. This Member remains concerned about government repression in Cambodia, particularly in light of the recent murder of an outspoken Cambodian journalist. We should not, however, use IMET as a club against Phnom Penh. Instead we should insist that the IMET courses offered to Cambodia contribute to human rights training for Cambodia's military and use the July Donor's Conference to pressure the Cambodian Government for a return to openness and respect for dissent.

This Member urges his colleagues to vote "no" on the Obey amendment.

Mr. OBEY. Mr. Chairman, I ask unanimous consent to withdraw the amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

#### AMENDMENT OFFERED BY MR. SOUDER

Mr. SOUDER. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 69 offered by Mr. SOUDER: Page 97, after line 5, insert the following:

#### LIMITATION ON ASSISTANCE TO MEXICO

SEC. 573. None of the funds appropriated or otherwise made available by this Act may be obligated or expended for the Government of Mexico, except if it is made known to the Federal entity or official to which funds are appropriated under this Act that—

(1) the Government of Mexico is taking actions to reduce the amount of illegal drugs entering the United States from Mexico; and

(2) the Government of Mexico—

(A) is taking effective actions to apply vigorously all law enforcement resources to investigate, track, capture, incarcerate, and prosecute individuals controlling, supervising, or managing international narcotics cartels or other similar entities and the accomplices of such individuals, individuals responsible for, or otherwise involved in, corruption, and individuals involved in money-laundering;

(B) is pursuing international anti-drug trafficking initiatives;

(C) is cooperating fully with international efforts at narcotics interdiction; and

(D) is cooperating fully with requests by the United States for assistance in investigations of money-laundering violations and is making progress toward implementation of effective laws to prohibit money-laundering.

The CHAIRMAN. The gentleman from Indiana [Mr. SOUDER] is recognized for 10 minutes in support of his amendment.

Mr. SOUDER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, this amendment will prohibit any funds available in this bill from going to Mexico unless the agency receiving the funds certifies that Mexico has taken specific antinarcotics actions.

I want to thank the cosponsors of this bill: Chairman BILL ZELIFF of New Hampshire, who has been a leader in our Congress' effort to reduce drug abuse, cosponsored this last year with me; also International Relations Committee Chairman GILMAN as a cosponsor. Other original cosponsors include my friend from Florida, Mr. MICA, who has been active on the subcommittee; the gentleman from Massachusetts, Mr. BLUTE; the gentleman from Washington, Mr. METCALF; the gentleman from Indiana, Mr. MCINTOSH; the gentleman from North Carolina, Mr. FUNDERBURK; the gentleman from Arizona, Mr. SHADEGG; the gentleman from Oklahoma, Mr. COBURN; and the gentlewoman from California, Mrs. SEASTRAND.

The problem is real simple. The State Department's 1996 Narcotics Control Strategy concluded that no country in the world poses a more immediate narcotics threat to America than Mexico. Mexican drug lords now supply more than 70 percent of the cocaine sold and 80 percent of the marijuana imported into the United States, as well as growing quantities of heroin and methamphetamines. Drug seizures in Mexico lagged for most of 1995, and the final seizure total remained flat and well below the record level. They are making progress but they need to make more.

At the same time the DEA administrator, Mr. Constantine, and the State Department have recently expressed serious concern that Mexico has, "become the money laundering haven of choice for initial placement of U.S. drug cash into the world's financial system." Drug dealers are literally packing 18-wheel trucks full of cash and driving them to Mexico for laundering. Up to 90 percent of drug cartel profits move through Mexico.

I was very privileged to go with the CODEL from this Congress to Mexico, as well as Panama, Colombia, Peru, and Bolivia, and we met with President Zedillo as well as the foreign minister and members of the House and Senate of Mexico. I was convinced, as were the others with us, that President Zedillo and the leadership of Mexico has a strong commitment to trying to reduce the narcotics flow to America.

I also understand their point that it is our demand that is propelling much of the growth of coca leaves around the country, the distribution, and what is coming into our country. We do have to work on our internal problems but they also must work on the exporting of drugs into America.

I also understand the difficulty of patrolling the long borders we have with Mexico, particularly as we open trade. That is all true. Few issues are as explosive as the immigration issue and the NAFTA issue as well as the drug issue, the support of the peso and the environmental questions along the borders.

If our two great nations are to work together, we have to have a strong continued commitment from the Government of Mexico not just to talk but to crack down on the drug lords.

This particular amendment passed last year 411-0 when we asked for a rollcall vote. It is the actions that must be changed and stiffened in the future. I want to continue to point out that I am impressed with the sincerity of the Government of Mexico and I am particularly impressed with their commitments, but we need to see additional and continued progress on this issue.

Mr. GILMAN. Mr. Chairman, will the gentleman yield?

Mr. SOUDER. I yield to the gentleman from New York, the chairman of the Committee on International Relations.

(Mr. GILMAN asked and was given permission to revise and extend his remarks.)

Mr. GILMAN. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I rise in support of the Souder amendment and commend the gentleman from Indiana for this initiative.

Illicit drugs are an international threat to all countries: corruption, addiction, and lawlessness exact an enormous price. Because drug cartels have extraordinary resources, no country can fight this problem alone. Producer countries, transit countries, and consumer countries all share in the costs of the drug scourge and, therefore, must all share the responsibility for solving the problem.

One very conservative estimate places the annual cost of drug abuse to U.S. society at \$67 billion—in terms of crime, lost productivity, and health care. Other estimates run as high as \$500 billion. Another tangible impact is on U.S. youth. Data suggest that if cocaine abuse were listed on death certificates, it would constitute the leading cause of death of people 14 to 44 years of age in New York City.

Experience proves that concerted efforts that attack each link in the drug chain can produce dramatic results. For example, new levels of cooperation have led to significant strides against the Cali cartel kingpins. With a vigorous program that addressed each of the pillars—eradication, interdiction, enforcement, education, and treatment—

cocaine use in the United States dropped 80 percent in that period, from 5.8 million users down to 1.3 million.

According to the United States Drug Enforcement Agency, drug trafficking groups in Mexico have become the primary suppliers of drugs abused in the United States. Up to 70 percent of the cocaine available in the United States transits Mexico; 50 percent of marijuana is produced in Mexico; Mexican traffickers are now the largest suppliers of methamphetamine sold in the United States; and Mexican heroin is the predominant form of that product found in the Western United States.

Several years ago, Mexican drug organizations partnered with Colombian producers to smuggle cocaine into the United States. As their expertise and operational capabilities grew, Mexican cartels began to demand 50 percent of the shipment as payment for their smuggling services; as a result, the wealth and reach of these local criminal bands grew dangerously as they gained an independent foothold in the lucrative wholesale business in the United States.

In addition to taking control of the methamphetamine trade, drug organizations in Mexico have also become major figures in the diversion of precursor chemicals that are used to produce methamphetamine. It is apparent that these Mexican cartels have used the largesse of the cocaine trade to develop the capacity to manufacture as well as transit their own product, methamphetamine, whose use in major cities in the Western and Southwestern United States is on the rise.

With the fall of the Cali cartel, their Mexican partners may be uniquely positioned to fill the void, given the proximity to the United States market, our 2,000-mile common border, and the political and economic disruptions in Mexico, both countries may suffer dramatically in the very near term.

In March, President Clinton certified Mexico as fully cooperative with United States antidrug efforts. The administration asserted that the Mexican Government had pledged a major offensive against the drug cartels and drug-related corruption and, in 1995, had intensified antinarcotics efforts, prosecuted corrupt officials, and sought to expand cooperation with the United States and other governments.

Some in Congress disagree emphatically with President Clinton's certification of Mexico's antidrug efforts, in light of infamous, well-publicized examples of corruption. They note that, although the Mexican Government may have the political will to fight illicit drugs, corruption is common enough to undermine good intentions.

All sides can agree that drug cartels have become so wealthy and powerful that they can undermine the best efforts of any government. In the United States, we fight internal corruption through strict internal inspection and integrity controls and generally well-paid, professional police forces. We also

rely on a professional, independent prosecutorial system that deters and detects corruption in law enforcement services.

Law enforcement experts note that Mexico's antidrug efforts do not have these tools at their disposal. They are hampered by weaknesses in their legal structure: the law does not provide for the use of wiretaps, confidential informants, or witness protection programs; prosecutors cannot build cases for conspiracy to break the law; and money laundering is not a criminal offense.

These experts assert that these tools are indispensable to efforts to fight organized crime in the United States and they are needed badly by Mexico's law enforcement agencies. United States cooperation, including the sharing of vital law enforcement intelligence, can be expanded further if Mexico strengthens its own antidrug units.

It should be noted that the Mexican Government has moved within the last few months to adopt some of these legislative measures to strengthen their capability to pursue and prosecute drug traffickers.

The Souder amendment is simple and straightforward. It conditions United States aid to Mexico on efforts by the Mexican Government to reduce the amount of illegal drugs entering the United States. It also expects that government to apply its own law enforcement resources and cooperate fully with us to break up the drug cartels operating in Mexico and to fight money laundering.

By passing this amendment, we do not prejudice Mexico and we do not excuse our own country from doing all that it can to fight drugs. As a matter of fact, many of my colleagues and I would like to see greater funding for antidrug cooperation in this legislation—and we will be working to achieve that objective.

Mr. Chairman, the drug cartels pose an international threat. We must work with Mexico and other friends throughout the world to meet this deadly challenge.

Once again, I commend Mr. Souder for his amendment and urge my colleagues to fully support his amendment.

Mr. SOUDER. Mr. Chairman, I yield 4 minutes to the gentleman from Florida [Mr. MICA].

Mr. MICA. I thank the gentleman for yielding me the time.

Mr. Chairman, the amendment offered by the gentleman from Indiana should be adopted overwhelmingly by the House of Representatives, and I commend the gentleman for his leadership on this issue. We serve on the same investigations and oversight subcommittee of the Committee on Government Reform and Oversight. We have looked at the lack of a national drug policy. We heard the chairman of this committee speak just a minute ago about 70 percent of the hard drugs coming into this country, we found in

our committee examination, are coming in through Mexico.

The United States has bent over backward to help Mexico and this Congress has aided Mexico with a trade agreement. I did not agree with some of the provisions of that particular trade agreement. This administration bailed out Mexico. I cannot think of a nation who has done more to help an ally, to help a partner in the Western Hemisphere than the United States or this administration or this Congress.

And what do we get in return? Seventy percent of the illegal drugs. We even went so far as to certify Mexico as compliant and we decertified Colombia, yet the onslaught of hard drugs coming through Mexico is absolutely appalling. The results should astound every Member of Congress and every American.

Look at this chart showing what has happened here since 1992 when this administration extended this helping hand. Our 12th graders, our 10th graders, our 8th graders are getting slaughtered. Cocaine is coming in record amounts, heroin is coming in, marijuana is coming in.

This amendment sends a message to Mexico that this Congress, this administration, these representatives of the people who are seeing their children slaughtered in the streets, who are seeing juvenile crime skyrocket through the ceiling are saying, "Hey, wait a minute, Mexico, we have taken it all we can and we are going to send you a message that we want this stopped."

It is a very clear message. The latest data by DAWN is absolutely startling. Cocaine-related emergencies increased 12 percent; heroin-related episodes increased 27 percent. This is for the first half of 1995. Marijuana-related episodes, 32 percent. Methamphetamines, 35 percent. Designer drugs are killing our young people and creating crime; 70 percent of the crimes in my district are committed by people who are involved in narcotics and they are coming through Mexico. This sends a message: Stop. And we mean it.

Mr. SOUDER. Mr. Chairman, I yield the balance of my time to the gentleman from Arizona [Mr. KOLBE].

The CHAIRMAN. The gentleman from Arizona is recognized for 30 seconds.

Mr. KOLBE. Mr. Chairman, I claim the time in opposition so that I may have more time to speak.

The CHAIRMAN. The gentleman from Arizona is in opposition?

Mr. KOLBE. Yes, Mr. Chairman.

The CHAIRMAN. The gentleman from Arizona [Mr. KOLBE] is recognized for 10 minutes.

Mr. KOLBE. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I will not use the entire 10 minutes and I think this amendment is going to go by voice. But let me say about this amendment that, while I think that no one disagrees with the intent of this amendment that we should have cooperation with Mexico, that I do think that it at least

bears mentioning here on the floor what is happening, and the, I think, positive things that have happened with Mexico.

I just listened to my colleague from Florida. I could not agree with him more that what is happening in this country is terrible and what is happening with the rise of drug addiction among young people and youth using drugs, hard drugs, is a very serious problem. There is no question that we should be very concerned about it, and there is no question we should be concerned about both the source of these drugs and how they get to this country.

It is the how they get to this country, the channel, that we are talking about here today, because for the most part the hard drugs we are talking about, the cocaine, the heroin, are not produced in Mexico but they become the transit point, the place from which these are transported into the United States. As we have been more effective in south Florida in cutting off the drugs coming in from South America, we have now found that Mexico and Central America are the key places in which these drugs come in.

□ 1415

Let us not in a sense blame the messenger, blame the people who are simply there geographically at our doorstep, because of our problem we have. I think clearly Mexico has a responsibility to work with us on this, and I think they are. That is what I wanted to take this time, just to mention some of the things that have happened in Mexico under the Zedillo administration.

Not long ago, just a few months ago, the Mexican Government, at our request, arrested and expelled very promptly from Mexico to the United States so we could try the individual, Juan Garcia Abrego, the head of the Gulf cartel, one of the key people we had been trying to get apprehended and get into the United States for drug violations. That was a major step by the Mexican Government to cooperate with us.

I might say as the chairman of the United States-Mexico Interparliamentary Meeting just a few weeks ago in Mexico, I heard from Mexican parliamentarians about how they thought this was outrageous because they had violated their own legal procedures and protections in extraditing this individual so promptly and quickly to the United States, and yet it is what we requested. I think we should at least acknowledge when we are talking about this there have been positive steps that have taken place.

At the end of May, a couple of weeks ago, the Mexicans arrested and expelled Jose Luis Pereyra Salas, a major Bolivian drug trafficker. So they are picking up some of these major drug traffickers, they are getting at the head of this Hydra of drug cartels that is operating there in Mexico.

They recently extradited two Mexican nationals, something they were not

able to do before, to the United States, who were wanted for heinous crimes. That is an important departure from their past procedures on extraditions. Under the extradition treaty, we have been able to get American nationals extradited to the United States, but never Mexican nationals. Now, the two that were extradited, they were not extradited on drug-related crimes, but they were heinous crimes, one of which has been talked about in this body on several different occasions by one of our colleagues. So that was an important step.

But I think the most important thing that I think should be mentioned today is the passage in Mexico within the last 6 weeks of the most important, the first and most important, money laundering legislation to counter money laundering, and the first time that Mexico has taken up this issue.

There is no question, the Mexican banks, as has happened with banks all over the world, whether in the Cayman Islands or whether sometimes in Switzerland or often in the United States, banks inadvertently, or sometimes through sloppiness or carelessness or sometimes because they do not care, allow themselves to be used for money laundering. That is why you need to have tough laws that make it clear to the banks what their responsibilities are in money laundering.

This legislation was drafted and worked on, they asked us for some assistance on it, we gave them technical assistance. This is their legislation. But we think it is a very good piece of legislation. Now they have to go through the process of making it work, of getting all the rules to implement it, the specifics to the banks, what they must do. But it is a very tough piece of legislation. It is what we have been asking the Mexicans to do for a long period of time.

I rise only to mention this, because I think it is important at the same time we say, and I think it is appropriate that we say that money under this law should not go to the Mexican Government, or any government for that matter, that is not cooperating with us on drug interdiction and interdicting drug trafficking. We would not be sending money to those countries. But I think it is important at the same time that we say that, that we do acknowledge that there have within some important steps that have been made by Mexico.

Mr. Chairman, I yield 1½ minutes to the gentleman from Alabama [Mr. CALLAHAN].

Mr. MICA. Mr. Chairman, will the gentleman yield?

Mr. CALLAHAN. I yield to the gentleman from Florida.

Mr. MICA. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, this deals with another slightly different subject, but I rise to engage the chairman of the Subcommittee on Foreign Operations, Mr. CALLAHAN, in a colloquy.

I would like to ask, Mr. Chairman, that earlier I had intended to offer an

amendment to increase funding for the Micro and Small Enterprise Development Program. Although I did not offer that amendment, I strongly support this program. This is a highly successful program that helps people help themselves.

By helping poor people to increase their income and assets, we are enabling them to improve their own welfare, health, housing and education, all at a very small cost-effective investment. This is a program that works, and this is the type of activity that we as a Congress should be encouraging.

Mr. Chairman, when the opportunity presents itself, as you go into conference with the other body, it is my understanding you will work with me to support additional assistance for the Micro and Small Enterprise Development Program.

Mr. CALLAHAN. Mr. Chairman, reclaiming my time, I thank the gentleman from Florida for his observations and share his support for the Micro and Small Enterprise Development Program.

I would be pleased to work with the gentleman, and with others in this body and the other body to support and possibly even expand this program.

Mr. Chairman, we are going to accept the amendment.

Mr. KOLBE. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Indiana [Mr. SOUDER].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. FRANK OF MASSACHUSETTS

Mr. FRANK of Massachusetts. Mr. Chairman, I offer an amendment pursuant to the unanimous-consent agreement.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. FRANK of Massachusetts: Page 97, after line 5, insert the following new section:

PROHIBITION OF IMET ASSISTANCE FOR INDONESIA

SEC. 573. None of the funds appropriated in this Act under the heading "International Military Education and Training" may be made available to the Government of Indonesia.

PARLIAMENTARY INQUIRY

Mr. WILSON. Mr. Chairman, I have a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. WILSON. How much time will there be on this amendment and how will it be allocated?

The CHAIRMAN. The gentleman from Massachusetts, [Mr. FRANK] will be recognized for 22½ minutes, and a Member opposed, the gentleman from Alabama [Mr. CALLAHAN], will be recognized for 22½ minutes.

The Chair recognizes the gentleman from Massachusetts [Mr. FRANK].

Mr. FRANK of Massachusetts. I ask unanimous consent, because I will be

due in a markup, that I be permitted to turn over the management for our side of the time to the gentleman from Rhode Island [Mr. REED].

The CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. FRANK of Massachusetts. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, this amendment would strike out the international military education and training for the country of Indonesia. Indonesia made an international solemn agreement through the U.N. to take over the area known as East Timor. Indonesian rule in East Timor has been one of the most oppressive and brutal we have seen.

East Timor had been controlled by Portugal. This is a case where colonialism looks pretty good to people in retrospect. Indeed it is to the credit of the people of Portugal that they have continuously spoken out against the oppression which the Government of Indonesia has visited on the people of East Timor.

What the Indonesians have done is simply violate their international obligations, agreements they had made, to treat the people of East Timor fairly. There continues to be one of the most oppressive regimes. The people of East Timor, who have sought to preserve their own identity, their freedom of religion, freedom of speech, have been consistently and brutally mistreated.

That is going to be documented in the debate. But I want to deal now with the arguments we are going to hear that will say, oh, yes, the Indonesians have not done what they should do, but this is not the way to do it.

One thing should be very clear. When we are talking to those who specialize in foreign policy, to them there is never a way to do anything. Whatever method anyone puts forward for dealing with any wrong anywhere in the world turns out to be not the right method at a given time. Any effort to try to vindicate human rights will run up against a whole variety of arguments. One is that we must rely on Indonesia, in part for its strategic stability.

One thing that strikes me when we debate foreign policy, we are constantly being told that America must be careful less we alienate, unsettle, destabilize, other nations. How come nobody ever has to worry about what we think?

I do not understand the logic that says because we are quite wealthy and quite powerful, we therefore must accept the fact that our views ought to be disregarded and we must worry about offending others? Is the relationship between the United States and Indonesia useful in preserving stability? I believe it is. I believe it is so useful, that the Indonesians will not jeopardize it based on this.

The argument is always given that we should not take this or that step be-

cause we will anger some nation who has been the recipient of our protection, cooperation and investment. None of these nations that I am aware of are doing this as a favor to us. They are doing it because it is even more in their self-interest than ours.

There is a particular reason why I think it is important for us to begin a policy of refusing American assistance to blatant violators of human rights is Indonesia and elsewhere in Asia. There is a distressing pattern in much of South Asia of people, nations, progressing economically, while showing a fundamental disregard for democracy and human rights.

One of the things we like to tell ourselves has been there is some necessary connection between expanding free market economy, between capitalism at its best, and democracy. I wish I were more confident of that. But I think the pattern is emerging in much of Asia where nations are showing a capacity to develop economically while remaining from the standpoint of human rights quite retarded.

Indonesia is a nation with very little democracy internally, a great deal of corruption, and with a terribly oppressive record against East Timor. I believe there are important strategic reasons why they welcome American cooperation sufficiently so they are not going to repudiate it altogether. The question is: Do we do anything whatsoever to effectuate our view that the systematic mistreatment of the people of East Timor must stop? I know we will be told, at least I have been told this privately, we have changed the IMET around. It now becomes a force for good, naked to the eye. I do not understand how that argument can be made when we see a continuation of the pattern on the part of Indonesia of a systematic mistreatment of those people.

Therefore, in pursuance of human rights, in pursuance of the obligation the world has to the people of East Timor who were turned over to Indonesia through international means, and in defense of the principle that human rights cannot simply be disregarded, I hope this amendment is adopted, and that the Indonesian Government will get a strong message from the United States that this behavior is not acceptable.

Mr. Chairman, with that, I reserve the balance of my time, which will hereafter be managed by the gentleman from Rhode Island [Mr. REED].

Mr. CALLAHAN. Mr. Chairman, in response to the gentleman from Massachusetts, I hope his amendment is not adopted.

Mr. Chairman, I yield 2 minutes to the gentleman from New York [Mr. GILMAN].

(Mr. GILMAN asked and was given permission to revise and extend his remarks.)

Mr. GILMAN. Mr. Chairman, I thank the gentleman for yielding me time.

Mr. Chairman, I regret that I rise to oppose the Frank amendment, which

would prohibit international military, education and training [IMET] for Indonesia.

The provision contained in the amendment before us would restrict the IMET program to the more human rights oriented expanded IMET courses. This provision is identical to existing law in the fiscal year 1996 foreign operations appropriations bill, as well as the authorization bill that was adopted by both the House and the Senate.

However, while I am opposing this amendment, I want to make it clear that I continue to have strong reservations about Indonesia's human rights record. Indonesia's military has an abhorrent human rights record. There is no debating that fact. The House needs to speak with one voice in condemning the continuing human rights abuses being perpetuated by the military.

That said, it is my view that continuing an IMET program in Indonesia will enhance rather than diminish United States ability to positively influence Indonesia's human rights policies and behavior. We need to stay engaged with the Indonesian military. Providing IMET will contribute to the professionalism and human rights sensitivity of Indonesia's military.

Accordingly, Mr. Chairman, I urge my colleagues to oppose the Frank amendment.

Mr. REED. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in strong support of this amendment, which is offered by myself and my colleagues, Mr. FRANK of Massachusetts, Mr. KENNEDY of Massachusetts, and Mr. KENNEDY of Rhode Island. It would prohibit all military education and training funds for Indonesia, IMET funds.

Currently, Indonesia receives expended IMET. Unfortunately, the Indonesian military has not made progress in improving its human rights record. The record is very clear. Indeed, the Department of State's "Country Reports on Human Rights Practices for 1995" states that the Indonesian Government continues to commit serious human rights violations in East Timor.

The report further states:

The armed forces continued to be responsible for the most serious human rights abuses.

On East Timor, no progress was made in accounting for missing persons following the 1991 Dili incident or the 10 other Timorese that disappeared in 1995.

□ 1430

And finally, "The armed forces used excessive force in making arrests following anti-integration rioting in Dili in October."

Mr. Chairman, our IMET resources are designed to provide training for other military forces around the world. It is not designed to encourage or in any way aid or abet in such human rights abuses. And, in fact, one would hope that these resources and the training that is involved with them

would be a strong barrier against such abuses of human rights.

We are not at this juncture criticizing the IMET program. The IMET program, as it is practiced around the world, is a valuable source of American foreign policy and military preparedness and national security strength for our country and our allies. But we cannot, I think, sit idly by, watching these abuses in East Timor against a people who were the victims of an invasion 20 years ago and continue to fund this type of military support for their regime, their military, those people who have been identified by our State Department as being the perpetrators of these types of human rights abuses.

In 1992, Congress, in a sense of shock and outrage, cut off IMET funds to East Timor. In 1991, on film, the British Broadcasting Corp. filmed the massacre of 250 East Timor residents by the forces of the Indonesian Armed Forces. That was such a shocking revolting incident that we acted properly and cut off those funds. We restored those moneys, but we restored those moneys with the idea that the Indonesian military had learned their lesson; that they would not continue these practices of human rights abuses.

Sadly, sadly, Mr. Chairman, that lesson has not been learned. It is incumbent upon us today to once again reiterate our strong opposition to these abuses and to do it in a palpable, tangible way, to do it by eliminating IMET funds for the Government of Indonesia and their armed forces. This is a position which, I think, has strong support in many different quarters.

Mr. Chairman, I will at the appropriate time introduce a letter in the extension of remarks from the Catholic Conference in support of this amendment, and included in that letter is the following language: "Curtailling IMET funding to Indonesia constitutes a small but symbolically important expression by our government of the need for Indonesia to show greater will in resolving these problems." We cannot allow another 20 years of abuses to continue in East Timor.

I would also say for the record, which I think is important, Mr. Chairman, we have spent our the last several days debating this bill, in different guises, talking about Desert Storm and over valiant efforts to liberate Kuwait from the unprovoked aggression of Iraq in 1991.

Well, the similarities in this situation are ironic but associate, but in this situation it was the Government of Indonesia that struck a defenseless country, overran it without any justification under international law, and today not only do we not condemn that invasion vigorously but we continue to assist the Indonesian military. It would be as if we had stood by idly and passively in the gulf and now today continued to assist the Iraqi Armed Forces.

So, Mr. Chairman, I think justice and human rights and sound policy is on

the side of this amendment and I hope it passes.

Mr. Chairman, I reserve the balance of my time.

Mr. CALLAHAN. Mr. Chairman, I yield 4 minutes to the gentleman from Texas [Mr. WILSON], the ranking Democrat on our subcommittee.

Mr. WILSON. Mr. Chairman, I thank the gentleman for yielding me this time. I rise in opposition to the amendment. Of course, the administration is also opposed to the amendment.

Mr. Chairman, IMET for Indonesia was completely cut off from 1992 to 1995. In fiscal year 1996, as part of a compromise on the issue, Congress agreed to allow for expanded IMET only. This means any training provided has to contain some elements of human rights training. The bill contains the same restriction as last year, that is only expanded IMET for Indonesia which ensures training and human rights.

I would, therefore, vigorously oppose this amendment. The committee has taken a compromise position and it should be sustained.

Mr. Chairman, I would like also to read a couple of paragraphs from a letter that I just received a few minutes ago from Secretary of Defense Perry and General Shalikashvili.

Strategically located Indonesia, with the world's fourth largest population, is increasingly important to United States interests. It is influential regionally, where it has been a force for stability, and globally. As we continue to rationalize and economize on our overseas military deployments, military cooperation with key countries such as Indonesia becomes an ever greater element in our ability to project power and influence. The IMET program in Indonesia enhances rather than diminishes U.S. ability to positively influence Indonesia's human rights policies.

That from the Secretary of Defense.

Finally, Mr. Chairman, I would say that the United States has very, very broad interests in Indonesia, ranging from vast commercial contracts to arms sales. It represents one of Asia's most promising expanding markets for American goods, with the United States occupying 12 percent of total imports. Our aid program helps protect the environment, improve conditions in East Timor, open opportunities for U.S. business, and stop the spread of AIDS. Any of those reasons, I submit, are reason enough to vote against this amendment and I urge the House to do so.

Mr. REED. Mr. Chairman, I yield 3 minutes to the gentlewoman from New York [Mrs. LOWEY].

(Mrs. LOWEY asked and was given permission to revise and extend her remarks.)

Mrs. LOWEY. Mr. Chairman, I rise today in support of the Frank amendment to eliminate international military education and training funding for Indonesia.

First of all, I would like to commend Chairman CALLAHAN for his efforts to address my concerns on this issue. I appreciate his support for expanded IMET

for Indonesia when I know he might rather have allowed Indonesia to receive full IMET assistance. However, as the chairman knows, I still have very serious concerns about Indonesia's human rights record.

In 1992, we voted to end all IMET assistance for Indonesia because of that country's abysmal human rights record and their continued oppression of the people of East Timor. Despite the lack of improvement in Indonesia's human rights record, and the opposition of myself and many of my colleagues, a modified IMET program was approved for Indonesia in the Foreign Operations Appropriations Act for fiscal year 1996.

When this provision was added to the foreign aid bill last year, we said we would monitor the human rights situation in Indonesia very carefully and act accordingly this year. Well, the State Department's country report on Indonesia was released in March, and according to the report, "The Government continued to commit serious human rights abuses."

The State Department report also said that in Indonesia "reports of extrajudicial killings, disappearances, and torture of those in custody by security forces increased." Not decreased. Not stayed the same. Increased. Should we really be sending Indonesia more military assistance now when they have not addressed these critical human rights issues? I don't think so.

Indonesia's policy in East Timor is about the oppression of people who oppose Indonesia's right to torture, kill, and repress the people of East Timor. It is about the 200,000 Timorese who have been slaughtered since the Indonesian occupation in 1975; 200,000 killed out of a total population of 700,000. It is about genocide.

I urge my colleagues to support this amendment and send a message to Indonesia that we will not tolerate continued human rights abuses.

Mr. CALLAHAN. Mr. Chairman, I yield 7 minutes to the distinguished gentleman from Nebraska [Mr. BEREUTER], chairman of the Subcommittee on Asia and the Pacific of the Committee on International Relations, the House of Representatives' most leading expert on Southeast Asia and on trade and American businesses in the region.

Mr. Chairman, I appreciate his coming to the floor and especially waiting for an hour to make his observations.

(Mr. BEREUTER asked and was given permission to revise and extend his remarks and include extraneous material.)

Mr. BEREUTER. Mr. Chairman, I thank the gentleman for his kind remarks.

I rise in strong opposition to the amendment by the gentleman from Massachusetts [Mr. FRANK]. We have to remember always, when we approach these issues, what is in our national interest and what is not; what has a positive impact and what does not.

Mr. Chairman, as the gentlewoman from New York began to make clear,

Indonesia does not have an IMET Program from us, they have an E-IMET Program or an expanded IMET Program, and there is quite a difference. In fact, an expanded IMET Program is specifically oriented to focusing on improving human rights activities and practices within a military.

We also have to get over the idea that the IMET or E-IMET Program is a grant of assistance to a foreign government. We do it because it is in our national interest to increase military-to-military cooperation, and because it is in our strategic interest to have this relationship.

There are many economic and strategic reasons why the E-IMET Program should be continued for Indonesia, but I would like to focus on the Human rights concerns and why, in fact, the frustrations of the gentleman from Massachusetts [Mr. FRANK] are not well taken. He can certainly be frustrated with the failure, as he sees it, to improve conditions in East Timor, but, in fact, the E-IMET Program is designed specifically to deal with human rights issues and human rights policies within the military. The E-IMET Program improves their performance in that respect. It is to our advantage, if we are interested in improving the human rights conditions.

The E-IMET Program is one of the most effective tools that we have for promoting both our security interests and improving human rights performance in other countries. The IMET or E-IMET Program in Indonesia enhances rather than diminishes our ability to influence the Indonesian military's policies and behavior.

Now, I understand that the gentleman from Massachusetts, and both gentlemen from Rhode Island have very big Portuguese American populations in their districts. These are great people, exceptional Americans, but they have to, in fact, I think be educated to the fact that there are better methods for improving human rights performance than to deny E-IMET.

Mr. Chairman, the E-IMET Program is bringing results within the military, and I will provide an example in a few minutes. The E-IMET Program exposes Indonesia's military students to western values, to civilian rule, and to the role of a professional military in a democracy. It will encourage efforts underway in the Indonesian military to improve professionalism, accountability, and respect for human rights.

The E-IMET Program for Indonesia, which is a product of this gentleman's amendment in a foreign aid bill in the past, is all that H.R. 3540 allows for Indonesia. It is designed to address issues, again, in democracy, human rights, military justice, and the concept of civilian control over the military. We should support human rights training for Indonesia through E-IMET, and this Member urges his colleagues for that reason to vote "no" on the Frank amendment.

As some of my colleagues know, one of the troubled areas in Indonesia right now is a part of the island that is a part of Indonesia called Irian Jaya. The legal adviser on the staff of the Kodam command in Jayapura, Irian Jaya, it has recently been revealed, is the author of a human rights handbook distributed to all troops in the command; it contains his innovations. They have also issued rules of engagement annexes to operational orders, which specifically says what troops should do and, more important, what they should not do when they engage in field operations in that respect.

I am talking very specifically about how they treat the citizens of their country, regardless of religion.

□ 1445

It has been said that since January when he started issuing these rules of engagement annexes, there have been no human rights violations in the Indonesian military in Irian Jaya. When asked where he came up with these innovations, he said it all came out of his experience at the U.S. Army Judge Advocate General's School, where he was an IMET student.

Let me end by reminding my colleagues why the E-IMET Program is a positive step toward improving human rights in Indonesia. The United States engagement with the Indonesian military, through IMET and specifically through E-IMET and other programs, enhances our ability to influence Indonesian human rights behavior and serving our broader interests in the region.

Second, it provides the Indonesian military with the human rights courses in the E-IMET Program that will contribute to their professionalism and the human rights sensitivity of the Indonesian military.

Third, in 1991, Congress established the expand E-IMET Program with four explicit objectives, three of which directly relate to human rights issues: A, to foster greater respect for the principles of civilian control of the military; B, to improve military justice and military codes of conduct in accordance with internationally recognized human rights; and the third of the four points that relates to human rights, to enhance cooperation between the military and local police in the area of counternarcotics.

Mr. Chairman, these elements in our E-IMET Program are exactly what we need to have happening within the Indonesian military. The human rights concerns that we have with Indonesia should be addressed by appropriate means. The E-IMET Program is an appropriate means to address human rights performance within the Indonesian military.

Mr. Chairman, I ask my colleagues, therefore, to reject the Frank amendment. It is not only a questionable amendment in its impact; it is a step in exactly the wrong direction.

Mr. REED. Mr. Chairman, I yield 5 minutes to the gentleman from Rhode Island [Mr. KENNEDY].

Mr. KENNEDY of Rhode Island. Mr. Chairman, I rise today as a supporter of IMET. This is a program which is right in the right time and in the right place, but IMET in Indonesia at this time represents the wrong place at the wrong time.

Congress did the right thing in 1992, when at the urging of my predecessor from Rhode Island, Ron Machtley, we cut off IMET to Indonesia. When Congress did that, they sent a clear message to the dictatorship in Jakarta. They said: You need to stop the human rights abuses in East Timor; your record in East Timor does not merit your receiving IMET.

Last year, unfortunately, Congress restored IMET to Indonesia. Since this time human rights abuses have continued and have gotten worse. Another year will just provide more encouragement for those carrying out these abusive practices.

Since Indonesia brutally invaded East Timor 20 years ago, almost one-third of the population has been killed. One-third of the population has been killed. This could not have happened without the knowledge and participation of the military, the very military that we are going to reward if we pass this IMET in this bill and if we do not pass the Frank amendment.

Mr. Chairman, the record of leadership in Indonesia is clear and unmistakable. After the Santa Cruz massacre, General Try Sutrisno, the commander of the Indonesian military at the time, and he is now currently the vice president of Indonesia, was quoted as saying that those who had gathered at the cemetery were disrupters who must be crushed. He said, and I quote, "Delinquents like these have to be shot, and we will shoot them," he said. General Mantriri, the regional commander for East Timor, was quoted just after the Santa Cruz massacre as saying, quote unquote, that, "The massacre was proper," and, I quote, "We do not regret anything."

These are the words of the military commanders that this U.S. Congress is about to lend assistance to. These very military commanders who are saying these things.

These abuses continue. Just yesterday, just yesterday, there are reports that are yet to be confirmed that East Timorese youths were shot at by police forces in Baucau. They were protesting the destruction of the portrait of the Virgin Mary, and youths took to the streets. There are reports that house-to-house searches were conducted.

My office has learned that Bishop Bello, who is recognized by all as the conscience of East Timor and is one of the most respected human rights leaders in the world and was one of the finalists for the Nobel Peace Prize last year, Bishop Bello was more upset than friends have said they have heard him in years.

Mr. Chairman, I think we need to send a clear message to the leaders of Indonesia that we will not sit by and

let these abuses continue. And I urge my colleagues to support the Frank amendment and send a clear message to Indonesia we are not going to sanction continued abuses of human rights.

Mr. CALLAHAN. Mr. Chairman, I yield 4 minutes to the gentleman from Virginia [Mr. PICKETT].

(Mr. PICKETT asked and was given permission to revise and extend his remarks.)

Mr. PICKETT. Mr. Chairman, I am here in opposition to this amendment not because I condone the human rights policies of Indonesia but because I am very, very strongly committed to our own Nation's defense program. Make no mistake about it, the IMET program is one of the most valuable tools that we use as a Nation to engage in preventive defense on behalf of our country.

This program enables us to bring to this country distinguished military officers from other countries and train them in the way that our military does business, in the way our military relates to the civilian sector, and the way our military works with other militaries around the world. It is a very important program. It is not a program designed exclusively for the benefit of in this case Indonesia or, for that case, any other foreign nation. It benefits the United States of America.

It makes our defense program stronger. It extends the scope of influence of the United States of America.

When these people come and visit in this country, they take back with them characteristics that we cannot communicate or instill any other way. And time and again we have heard the military of our Nation talk about working with other military members that are in foreign countries and having a first-time relation with them because of the fact that these people have come to the United States of America, have worked in our schools here, have worked with our military people, and have taken back with them personal relationships that they continue to build on year after year after year.

It is a magnificent investment that we make, and one that has returned dividends manyfold on the money that has been invested in it. It should not be looked upon as simply a gift over something to trade off for some kind of conduct of another nation. It is much, much too valuable for that. This is a very strong component of our Nation's defense program. And you might ask, well, why is it in the foreign operations bill? And my answer is I do not know. I think it more properly belongs in the defense appropriations bill. But nevertheless we are here with it. But we should not let the fact that it is in the foreign operations bill obscure from us the reality that this is indeed a defense expenditure and one that is a very valuable component of our Nation's defense program and experience has shown that it works well.

For example, the top three military officers in Indonesia have all partici-

pated in this program, and they are people that our military works with on a regular basis, based upon the contacts that have been built up as a result of their working with the IMET program.

As has been said before, this program is going to enhance rather than diminish the ability of our Nation to influence the conduct of Indonesia in the way it handles its human rights policies.

I would urge the Members to recognize the importance of this program to our own military and to reject this amendment because I think it will not serve the long-term interests of our Nation.

Mr. REED. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I respect a great deal both the gentleman from Nebraska [Mr. BEREUTER] and the gentleman from Virginia [Mr. PICKETT] and their comments.

Mr. Chairman, this is not an amendment attempting to undercut the very important goals of IMET. I spent 12 years in the U.S. Army, and I had the opportunity to actually train with and serve with foreign officers who were brought into this country through the IMET program. It is a very valuable program and a very worthwhile program. And it does, as the gentleman from Virginia indicated, give our country an opportunity to impress upon foreign officers our values, both our democratic values and our professional standards.

But the other side of that equation is that this program gives, in many respects, an imprimatur to the military forces that participate in the program, and I think we have to ask very serious questions at this juncture, given the record in Indonesia, whether we want to give the imprimatur to the armed forces of Indonesia. There have been indications that progress is being made.

But progress in human rights in East Timor is in the eye of the beholder. And I would refer to the letter I made reference to before from the Catholic Conference from Father Drew Christiansen: "Rather than improvements in human rights, there have been over the past year numerous reports from authoritative sources of continued harassment and arrests of many, especially young people, seeking to express in a nonviolent fashion their disagreement with the status quo. There continue to be vicious attacks by gangs of paramilitaries and a climate of fear created by the security forces that at times amounts to a reign of terror."

And so I would argue, based upon the observations of Father Christiansen and his colleagues in the Catholic Conference, that our IMET training has not achieved success yet and, in fact, what it does is provide a symbolic approval of these operations in East Timor by Indonesian security forces. And also it has not yet moved forward the Government of Indonesia together

with other world leaders in the world community to recognize their occupation, their illegal occupation of East Timor, and to give justice to the East Timor and to its people. And I think in that regard we have again invoked the leverage of withdrawing IMET from the armed forces of Indonesia.

Now, the gentleman from Nebraska talked about the strategic value of Indonesia. I believe there is strategic value there. But I would point out that in the period from 1992 until about a year or so ago, when we restored expanded IMET, the Government of Indonesia did not turn away from the United States, did not seek to ally itself with other regional powers. And I would suspect that if once again we revoked IMET, they would not turn away from us, turn away from their own self-interest, which is a relationship with the United States in the world community.

We are not at all seeking to undercut the economic ties that we are developing with the Government of Indonesia. Those ties, I think, also are based upon mutual self-interest, but what we are doing is trying to establish very clearly that the Government of Indonesia and its armed forces must act with more sensitivity, more consideration of the people of East Timor, and if they cannot do that, they then would not be allowed to participate in this expanded IMET. And for all of the above reasons, I would urge that this measure be adopted and the amendment be accepted by the committee.

Mr. CALLAHAN. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in opposition to the amendment of the gentleman from Massachusetts [Mr. FRANK], which would cut off all IMET to Indonesia.

Mr. Chairman, I notice that the gentleman from Massachusetts [Mr. FRANK] had other business and could not be here to hear the extended debate; not here to hear the eloquent statements of people that are knowledgeable in this affair. But I am sure that had he been here, no doubt he might have taken serious consideration to withdraw this amendment.

But since it has not been withdrawn, as the gentleman knows, the subcommittee has been very attentive to this issue and in last year's bill we agreed to provide expanded IMET to Indonesia. Expanded IMET is only for training the military in the areas of democratization, respect for human rights, and the rule of law. It really should be called restricted IMET.

Because our fiscal year 1996 bill was not enacted into law until early this year, Indonesia really has not had the benefit of this type of training. The committee's position this year simply reflects last year's compromise on this issue—it allows the expanded IMET program to work with Indonesian officers to improve their human rights performance. No military training is provided. Personally, I support full



military training for Indonesia, but I reached a compromise with my colleagues on the committee and last year I supported the House position in conference.

Currently the administration is planning visits to Indonesia by the U.S. Naval Justice School's Military Justice Mobile Education Team and the U.S. Naval Postgraduate School's Civil-Military Relations Mobile Education Team. Are these really the types of IMET programs that the House should be prohibiting? Well, that is exactly what the amendment by the gentleman from Massachusetts will do.

I strongly oppose this counter-productive amendment which will deny, I repeat deny, human rights training to the Indonesian military. Please vote "no" on the Frank amendment.

Mr. UNDERWOOD. Mr. Chairman, I rise today in support of the Frank, Kennedy, Reed and Kennedy amendment to the fiscal year 1997 foreign operations appropriations bill which will prohibit all international military education [IMET] funding for Indonesia.

The Indonesia invasion and occupation of East Timor in 1975 was the beginning of a period of repression and human rights abuses in East Timor that has continued for over 20 years. It has claimed the lives of 200,000 Timorese, one-third of the original population. It has been done in defiance of the U.N. Security Council, which has twice called on Jakarta to withdraw without delay. The United States fully supported these resolutions.

The human rights situation remains serious in East Timor. In this year's State Department Country Report on Human Rights Practices, the Department notes "the most serious abuses, by Indonesia, include harsh repression of dissidents in East Timor \* \* \* Reports of extrajudicial killings, disappearances and torture of those in custody by security forces increased."

Since the November 12, 1991, Santa Cruz Cemetery massacre, in which Indonesian troops armed with American M-16's gunned down more than 200 Timorese civilians, Congress has taken a series of initiatives which have begun to shift the direction of United States policy.

While imperfect, the ban on IMET funding for Indonesia has been one source of leverage. First imposed in October 1992, the ban has sent an important message to Indonesia about our concerns regarding human rights in East Timor. By approving IMET military training funds, Congress turns a blind eye to continued abuses in East Timor and lets Indonesia off the hook.

The political issue in East Timor is a very basic one: The people simply want the right to vote in a U.N.-supervised referendum, in which they would be given the right to choose whether they want to be independent or become part of Indonesia. Without any international pressure on the regime in Jakarta, the ability of the people in East Timor to exercise their right of self-determination will continue to be infringed upon.

Mr. KIM. Mr. Chairman, I rise in strong opposition to the Frank amendment to prohibit the use of international military education and training funds for Indonesia. It appears to me that this amendment is designed only to insult

Indonesia and would have only negative effects on United States-Indonesian relations. Furthermore, if enacted, I believe this amendment would actually hinder the kind of changes and increased respect for human rights its proponents claim to seek.

First, let's be clear on what IMET is. IMET is not guns and ammunition. It's not even combat training. The IMET program sponsors up and coming Indonesian military officers to come to the United States to receive either technical training—like accounting—or professional education including military justice and human rights awareness. Thus, IMET participants are exposed to the very issues about which the sponsors of the Frank amendment are most concerned. How better to ensure that the Indonesian military enhances its professionalism and sensitivity to the human rights concerns we've identified than to include this in their training? Especially when the Indonesian military wants this training? They are seeking our help. If the sponsors of this amendment listen to their own words, then they would see that we ought to continue to provide this training.

Second, IMET also plays an important role in improving United States-Indonesian security ties. Indonesia occupies a very central and strategic position in Southeast Asia. Indonesia is a key member of ASEAN and a moderate leader of the non-aligned movement. It is the world's largest Moslem country. Indonesia is very supportive of the United States presence in Southeast Asia and provides us with places in lieu of bases. The modest support the Indonesian military receives from IMET goes a long way in solidifying this relationship. It also provides our own military with exposure to senior and mid-level Indonesian military officers with all of the associated benefits such relations provide.

Third, with 190 million people, Indonesia is a growing market for American goods and services. Last year alone, the United States exported \$3.3 billion, an increase of over 20 percent from last year. Indonesia is the host to over \$6 billion in United States investments. Whether we like it or not, IMET has, in part, come to represent a bellwether of United States engagement with Indonesia. It has become a symbol of United States attitude toward Indonesia. Therefore, to prohibit IMET will be seen by Indonesians—all Indonesians, not just the Suharto government—as a slap. Unlike most of my colleagues, as a first generation Asian-American, I have a pretty good understanding of how East Asians think. And, I can assure every one of you, this will be interpreted as a direct insult against the Indonesian Nation as a whole.

Such an insult will have a direct and negative affect on all aspects of our relationship, including economic ties. At risk are jobs and incomes of Americans rights here at home. The only ones really cheering for the misguided symbolism of the Frank amendment are our Asian and European competitors.

Finally, I am sensitive to the situation in East Timor. Unfortunately, the history as well as the future of East Timor is not as simple and black and white as proponents of this amendment claim. Progress is being made with regard to East Timor, though I agree that more is needed. However, cutting IMET will have no positive effect on East Timor. The Frank amendment is merely pandering to only special interest in East Timor at great expense

overall U.S. interests in the region. In fact, as I pointed out, prohibiting of IMET could actually setback the process of improving human rights in Indonesia.

Therefore, I urge my colleagues to vote for America's best interests and reject this misguided amendment.

Ms. PELOSI. Mr. Chairman, I rise in support of the Frank-Kennedy-Reed amendment to prohibit IMET for Indonesia. I appreciate Chairman CALLAHAN's initiative last year and again this year to limit IMET for Indonesia to expanded-IMET only. Nonetheless, in light of continuing human rights abuses and Indonesia's economic strength I do not believe that the Indonesian military should be trained with United States taxpayers' dollars.

According to the U.S. State Department's country reports on human rights practices for 1995, human rights in Indonesia continued to be a problem. The report notes that—in Indonesia "there continued to be numerous, credible reports of human rights abuses by the military and police \* \* \*." The human rights problems in Indonesia noted by the State Department report include:

The (Indonesian) Government continued to commit serious human rights abuses. The most serious abuses included harsh repression of dissidents in East Timor, Aceh, and Irian Jaya. Reports of extrajudicial killings, disappearances, and torture of those in custody by security forces increased. Reports of arbitrary arrests and detentions and the use of excessive violence (including deadly force) in dealing with suspected criminals or perceived troublemakers continued.

The State Department's report also states:

Elements of the armed forces continued to be responsible for the most serious human rights abuses. Military leaders in some cases showed willingness to admit publicly abuses by military personnel and take action against them, including in a brutal incident in East Timor. Punishment, however, rarely matched the severity of the abuse.

Some of our colleagues will argue that IMET benefits the United States by increasing the professionalism of the armed forces of other nations. That may, in some cases, be true. Unfortunately, history is now littered with cases of egregious human rights abuses being perpetrated by people who received U.S. military training. In some countries, IMET training endows those who receive it with a mantle of prestige and privilege. IMET provides a seal of approval of sorts for military people who receive it and therefore bestows a seal of approval on their military practices. The United States should not be in a position of supporting repressive or abusive practices either in an explicit or implicit way.

It is clear, to those who are willing to look, that the human rights situation in East Timor is terrible. The State Department's report provides documentation of some of last year's atrocities, many of which were perpetrated by the military. These practices have not ended. I have in my possession a list provided by a reputable human rights organization of 17 East Timorese people who have been arrested, beaten and tortured by the Indonesian armed forces at various locations around East Timor since January 1996. This list is incomplete, but it is representative of the ongoing practices of the Indonesian military.

The repressive activities of the Indonesian armed forces are by no means limited to East Timor, which Indonesia occupies illegally.

They also occur in many other places in Indonesia, including Irian Jaya, where NGO and church sources provided eyewitness accounts of over 40 victims of torture by the Indonesian military in late 1994 and early 1995.

I urge my colleagues to express their concern about human rights abuses in Indonesia by supporting the Frank-Kennedy-Reed amendment to prohibit IMET for Indonesia.

Mr. TORRICELLI. Mr. Speaker, I rise today in strong opposition to funding for expanded international military and education training [IMET] for Indonesia. The actions perpetrated by Indonesia against the people of East Timor have been no less than reprehensible and do not deserve to be condoned by this Government. I do not question the efficacy of IMET programs in general, but rather the value to be gained by the United States in providing assistance to the Indonesian Government. As a champion of human rights throughout the world, the United States should make every effort to ensure that systematic aggression, like that against the East Timorese, is not allowed to continue. In order to do this, though, it is imperative that the Indonesian Government receives a firm answer from this country—such behavior will not be tolerated.

Indonesia's invasion of East Timor spawned an era of oppression directed against the East Timorese. Torture, abductions, disappearances, and massacres have all been common occurrences under its rule. The result has been the annihilation of nearly one-third of the East Timorese population. Portugal has strenuously objected to Indonesia's conduct in East Timor, but these objections have gone unheeded. Instead, the international community has silently accepted the situation. However, I refuse to stand idly by as the Indonesian Government is no less than rewarded for its actions with funds from this country.

The violence which has been unleashed against the people of East Timor must be stopped. A restoration of IMET funding to Indonesia, though, does not send this message. Rather, it encourages the Indonesian military to perpetuate the cycle of abuse. The East Timorese must be recognized for the basic human dignity we all share. For this reason, I stand opposed to this country's financial support of the Indonesian regime.

□ 1500

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts [Mr. FRANK].

The question was taken; and the Chairman announced that the noes appeared to have it.

#### RECORDED VOTE

Mr. REED. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 149, noes 272, not voting 13, as follows:

[Roll No. 227]

#### AYES—149

Andrews	Brown (OH)	Costello
Barrett (WI)	Cardin	Coyne
Becerra	Clay	Cummings
Beilenson	Clayton	Danner
Blute	Clement	DeFazio
Bonior	Collins (IL)	DeLauro
Borski	Collins (MI)	Dellums
Boucher	Conyers	Doggett

Duncan	Lantos
Durbin	Levin
Ehlers	Lewis (GA)
Ensign	Lipinski
Eshoo	LoBiondo
Evans	Lofgren
Farr	Lowe
Fattah	Luther
Fazio	Maloney
Fields (LA)	Markey
Filner	Martini
Flake	Mascara
Foglietta	McCarthy
Ford	McDermott
Fox	McHale
Frank (MA)	McKinney
Franks (CT)	McNulty
Franks (NJ)	Meehan
Funderburk	Meek
Furse	Menendez
Gedjenson	Millender-
Gutierrez	McDonald
Gutknecht	Miller (CA)
Hall (OH)	Mink
Hefner	Moakley
Hinchey	Moran
Holden	Nadler
Hoyer	Neal
Jackson (IL)	Oberstar
Jackson-Lee	Obey
(TX)	Olver
Johnson (SD)	Owens
Johnston	Pallone
Kanjorski	Pastor
Kaptur	Payne (NJ)
Kennedy (MA)	Pelosi
Kennedy (RI)	Porter
Kennelly	Poshard
Kildee	Rahall
Klecza	Ramstad
Klink	Rangel
Klug	Reed
LaHood	Rivers

#### NOES—272

Abercrombie	Coble	Goodlatte
Ackerman	Coburn	Goodling
Allard	Coleman	Gordon
Archer	Collins (GA)	Goss
Armey	Combest	Graham
Bachus	Condit	Green (TX)
Baessler	Cooley	Greene (UT)
Baker (CA)	Cox	Greenwood
Baker (LA)	Cramer	Gunderson
Baldacci	Crane	Hall (TX)
Ballenger	Crapo	Hamilton
Barcia	Creameans	Hancock
Barr	Cubin	Hansen
Barrett (NE)	Cunningham	Hastert
Bartlett	Davis	Hastings (WA)
Barton	de la Garza	Hayes
Bass	Deal	Hayworth
Bentsen	DeLay	Hefley
Bereuter	Diaz-Balart	Heineman
Berman	Dickey	Herger
Bevill	Dicks	Hilleary
Bilbray	Dingell	Hilliard
Bilirakis	Dixon	Hobson
Bishop	Dooley	Hoekstra
Bliley	Doolittle	Hoke
Blumenauer	Dornan	Horn
Boehlert	Doyle	Hostettler
Boehner	Dreier	Houghton
Bonilla	Dunn	Hunter
Bono	Edwards	Hutchinson
Brewster	Ehrlich	Hyde
Browder	Emerson	Inglis
Brown (FL)	Engel	Istook
Brownback	English	Jacobs
Bryant (TN)	Everett	Jefferson
Bryant (TX)	Ewing	Johnson (CT)
Bunn	Fawell	Johnson, E. B.
Bunning	Fields (TX)	Johnson, Sam
Burr	Flanagan	Jones
Burton	Foley	Kasich
Buyer	Forbes	Kelly
Callahan	Fowler	Kim
Camp	Frelinghuysen	King
Campbell	Frisa	Kingston
Canady	Frost	Knollenberg
Castle	Galleghy	Kolbe
Chabot	Ganske	LaFalce
Chambliss	Gekas	Largent
Chapman	Gephardt	Latham
Chenoweth	Geren	LaTourette
Christensen	Gilchrist	Laughlin
Chrysler	Gillmor	Lazio
Clinger	Gilman	Leach
Clyburn	Gonzalez	Lewis (CA)

Lewis (KY)	Packard	Smith (WA)
Lightfoot	Parker	Solomon
Linder	Paxon	Souder
Livingston	Payne (VA)	Spence
Longley	Peterson (FL)	Stenholm
Lucas	Peterson (MN)	Stump
Manton	Petri	Talent
Manzullo	Pickett	Tanner
Martinez	Pombo	Tate
Matsui	Pomeroy	Tauzin
McCollum	Portman	Taylor (MS)
McCrery	Pryce	Taylor (NC)
McHugh	Quillen	Tejeda
McInnis	Quinn	Thomas
McIntosh	Radanovich	Thompson
McKeon	Regula	Thornberry
Metcalfe	Richardson	Thornnton
Meyers	Riggs	Tiahrt
Mica	Roberts	Trafficant
Miller (FL)	Roemer	Vucanovich
Minge	Rogers	Walker
Molinari	Roth	Walsh
Mollohan	Salmon	Watts (OK)
Montgomery	Sanford	Waxman
Moorhead	Saxton	Weldon (FL)
Morella	Scarborough	Weldon (PA)
Murtha	Schaefer	Weller
Myers	Seastrand	White
Myrick	Sensenbrenner	Whitfield
Nethercutt	Shadeegg	Wicker
Neumann	Shaw	Wilson
Ney	Shuster	Wise
Norwood	Sisisky	Wolf
Nussle	Skeen	Young (AK)
Ortiz	Skelton	Young (FL)
Orton	Smith (MI)	Zeliff
Oxley	Smith (TX)	

#### NOT VOTING—13

Bateman	Harman	Schiff
Brown (CA)	Hastings (FL)	Studds
Calvert	Lincoln	Torricelli
Deutsch	McDade	
Gibbons	Rose	

□ 1520

Ms. BROWN of Florida and Mr. WAXMAN changed their vote from "aye" to "no."

Ms. WATERS and Messrs. CLAY, FLAKE and VOLKMER changed their vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

(Mr. CALLAHAN asked and was given permission to address the Committee for 1 minute.)

Mr. CALLAHAN. Mr. Chairman, I yield to the gentleman from Illinois [Mr. PORTER] for a colloquy.

Mr. PORTER. Mr. Chairman, very recently, elections were held in Albania that international observers feel were rife with irregularities—including ballot stuffing, physical intimidation of voters and other acts of fraud and coercion. This is a grave cause of concern and I would inquire whether the Chairman would be open to consideration of provisions withholding assistance to Albania unless new elections are held.

Mr. CALLAHAN. I understand the gentleman's concern over the disturbing elections in Albania, and I will remain open to consideration of this matter in our conference committee with the Senate on this legislation.

Mr. PORTER. Mr. Chairman, I thank the gentleman from Alabama.

Mr. CHAIRMAN. Pursuant to the rule and the order of the House of June 6, 1996, the Committee rises.

Accordingly the Committee rose; and the Speaker pro tempore (Mr. HEFLEY) having assumed the chair, Mr. HANSEN, Chairman of the Committee of the Whole House on the State of the Union,

reported that that Committee, having had under consideration the bill (H.R. 3540) making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 1997, and for other purposes, pursuant to House Resolution 445, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

Mr. CALLAHAN. Mr. Speaker, I ask unanimous consent to address the House for 2 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. CALLAHAN. Mr. Speaker, I yield for a few seconds to the gentlewoman from California [Ms. PELOSI] for a comment.

Ms. PELOSI. Mr. Speaker, in the few seconds that I have allocated to me I want to commend the gentleman from Alabama [Mr. CALLAHAN], our chairman, for his excellent leadership of our subcommittee and for his shepherding us through these different issues. While I do not agree with all that is in the bill, I do commend the gentleman.

In addition to commending our excellent chairman, the gentleman from Alabama [Mr. CALLAHAN], for his magnificent shepherding of this legislation through subcommittee, full committee and to the floor, I want to join with him in acknowledging the fine work of our ranking member, the gentleman from Texas [Mr. WILSON]. While he will be on the floor when we take up the conference report, I am certain, this is the last bill that he brings to the floor from the committee, and I know that all the members of the subcommittee join our colleagues in commending him and thanking him for his leadership on the committee, his good humor in the face of strong opposition on some issues in the committee and his leadership to rally us around some of the issues of agreement.

With that, I want to once again commend the gentleman from Alabama [Mr. CALLAHAN]. I do not think our colleagues have any idea how difficult it is for this bill, to reach consensus on it, and we are all deeply in the debt of the gentleman.

Mr. CALLAHAN. Reclaiming my time, I am sorry that the confusion and the timing does not permit us to do justice to the gentleman from Texas, who is sitting in on his last few minutes of an appropriation bill, who has been sitting here for 19 years doing this same thing every 2 years. And I would like to thank also the subcommittee members who have worked so hard and are so allied with us in trying to formulate a bipartisan bill. And certainly the staff deserves recognition for the

yeoman job that they have done, as does the gentleman from Wisconsin [Mr. OBEY] and all the people of our committee.

The gentleman from Utah [Mr. HANSEN] also deserves recognition for his yeomanship and his great handling of this bill sitting in the Speaker's chair.

Mr. Speaker, once again, in the final passage of this bill there have been those who came and tried to increase this level of spending that we do on foreign aid, but thanks to this committee and this Congress, we are cutting foreign aid, we are cutting the President's request by a billion dollars, we have now, with the passage of this bill, reduced the level of appropriation for foreign operations to less than 1 percent of our total budget.

So this is a vote to cut foreign aid and to appropriate responsibly what limited amount of money we are going to. I would encourage each Member to vote "aye" to cut foreign aid and to pass this responsible legislation.

Mr. DURBIN. I rise in support of assistance to Israel in the Foreign Operations Appropriations Act for fiscal year 1997.

The legislation before us today includes the President's full request for assistance to Israel, including economic support funds, foreign military finance grants, counterterrorism assistance, and funds for the resettlement of refugees from Eastern Europe. In addition, the legislation requires that this assistance be provided on an expedited basis.

The security and the prosperity of the United States are intricately interwoven with the security and prosperity of Israel. The American people and the people of Israel are inseparably joined by a common heritage, shared values and democratic forms of government. The threats to Israel—from political conflict, extremism, economic instability and the proliferation of weapons of mass destruction—are also threats to the people of the United States.

We have seen historic changes in the Middle East in recent years as Israel has reached out to its neighbors for peace. But real dangers and significant obstacles to peace remain.

The people of Israel have just recently held elections and voted for new leaders. This is a time of transition for Israel, and Israel's people must know that the United States will remain a steadfast and strong ally.

The assistance we provide to Israel will strengthen our most important ally in the Middle East, deter aggression from hostile nations in the region, and ultimately protect the security of the United States. This assistance will help Israel to preserve a qualitative advantage in defense, even though it is heavily outspent by its larger neighbors. It will help Israel to absorb the economic cost of maintaining a strong defense. And it will once again assure the people of Israel, and its adversaries, of unwavering American support.

We must support Israel because it is the right thing to do, and because it is the wise course to take. I urge my colleagues to support the President's request for assistance to Israel and vote for final passage of the Foreign Operations Appropriations Act for Fiscal Year 1997.

Ms. PELOSI. I commend Chairman CALLAHAN and Ranking Member WILSON for their

successful efforts for the second year in a row in putting together a foreign aid bill which has bipartisan support. As a member of the Foreign Operations Subcommittee, I know the work that has gone into this bill and the efforts that have been made to bridge many differences on the purpose, the priorities, and the funding level of our foreign aid programs. I would like to thank the subcommittee staff, Charlie Flickner, Bill Inglee, John Shank, and Lori Maes, and our Democratic staffpersons Mark Murray and Kathleen Murphy for their hard work on this bill.

In the current fiscal climate, we have to make many difficult choices cutting funding for many worthy programs. Our decisions must be based on fact, not myth. We have before us today one of the most misunderstood and maligned bills the Congress is regularly privileged to consider. The misperceptions surrounding foreign aid are legion and we, as leaders, have an obligation to set the record straight.

We will hear today from some of our colleagues that the American people do not support foreign aid. That is not true. The American people's overwhelming humanitarian response to crisis, to famine, to tragedy overseas, is evidence of their concern. According to recent surveys, Americans believe we should spend 15 percent of our budget on foreign aid—they think we spend 40 percent on foreign aid—and do not know that we spend less than 1 percent on foreign aid. Today's bill continues the recent downward trend in spending on foreign aid, providing \$1 billion less than the President's request for fiscal year 1997, and \$458 million less than the fiscal year 1996 level.

Foreign aid is a good investment in a number of ways. Our limited foreign aid dollars provide returns to our country many times over through assisting our allies and increasing our national security, providing much-needed humanitarian relief and easing human suffering. In addition, we get numerous economic benefits from our foreign aid investments. Eighty percent of our development assistance is spent here in the United States, providing jobs for American workers, and expanding markets abroad.

I support a number of this bill's provisions and thank Chairman CALLAHAN, in particular, for his continued leadership in providing funding for global AIDS programs and for his assistance in addressing my concerns about some reporting requirements related to Hong Kong. That said, I cannot ignore the parts of this bill which I believe should be changed. I am particularly concerned about the impact of funding cuts on programs to meet the needs of the poorest of the poor around the world, including IDA and the IADB's Fund for Special Operations. I am also concerned about the reduced ability of our foreign aid programs to meet the development challenges on the continent of Africa. I believe we should reinstate the Development Fund for Africa as a separate account and provide funding for the African Development Bank and African Development Foundation, for example.

And, I am particularly concerned about the consequences for the global environment of cuts in funding for global environment programs and of cuts in funding and restrictions on population assistance funds.

Overpopulation is a threat to us all. The world is already experiencing a serious strain on its natural resources; increased population

growth at current rates will only increase environmental degradation. We cannot be close-minded or short-sighted on this issue. What happens in other countries must be of interest here at home. Pollution does not stop at our borders. Diseases also do not stop at our borders. Stabilizing population growth is critical to us all.

In addition, I am very concerned that the population provisions contained in this bill will have the opposite impact of what our well-meaning colleagues intend. The 35-percent cut in population assistance funding contained in this bill can be expected to result in 7 million couples in developing countries left without access to modern, safe contraceptive methods; 4 million women experiencing unintended pregnancies; 1.6 million more abortions; 8,000 more women dying in pregnancy and childbirth, including those from unsafe abortions; and 134,000 infant deaths. These are not abstract arguments. These are real people whose suffering and whose deaths that we have the power to prevent.

U.S. foreign assistance has been at the forefront in saving lives, building democracy and achieving economic growth in the developing world. While failures associated with foreign aid programs have been well publicized, the success stories receive little attention. We can be proud that hundreds of millions of people around the world have achieved substantial improvements in their living standards around the world. We can be proud of the millions of children in developing countries whose lives have been saved by the immunization programs which we have funded.

Yes, improvements can still be made. Everything can always be improved. The administration should be commended for the progress it has made in increasing the efficiency and effectiveness of our development programs. We should make every effort to fund these programs at adequate and appropriate levels. This bill is a step in that direction.

Mr. FAZIO of California. Mr. Speaker, I rise to offer my support for the foreign operations appropriations measure before us today. I am not satisfied with all of the bill's provisions, notably the continued restrictions on international family planning. However, I believe that this bill contains some provisions that deserve our support, including our Nation's continued commitment to the Middle East peace process.

A new era in U.S. foreign assistance has been taking shape since the end of the cold war. New trends are developing which will guide the direction of our foreign policy and foreign assistance programs well into the next century. In light of these changes, I believe it is important for the United States to remain committed throughout the world. Such a commitment will serve to advance our global interests and influence.

This bill will appropriate \$11.9 billion for foreign aid and export assistance, \$1 billion less than the administration's request and \$458 million less than the fiscal year 1996 appropriation.

Mr. Speaker, I am pleased that the committee has continued to show its support for sustainable agriculture programs. Programs like the small ruminants collaborative research support program at the University of California, Davis, promote sustainable agriculture in the developing world in the conjunction with the U.S. system of land grant colleges and univer-

sities. Finding and implementing sustainable, environmentally safe, agricultural techniques and crops is critical to providing long-term food security in Africa and throughout the world.

In addition, I would like to express my support for the efforts of Representatives VISCLOSKEY, BILIRAKIS, DURBIN, and others to strengthen the Humanitarian Aid Corridor Act and increase pressure on Turkey to lift its 3 year blockade of United States relief supplies to Armenia.

This amendment will send a clear message to Turkey that the United States Congress will not tolerate, much less subsidize, the illegal blockade of American humanitarian relief aid to needy populations in Armenia. Turkey's embargo not only perpetuates the humanitarian crisis in Armenia, but also increases the costs of American assistance programs because of the necessity to circumvent Turkey. The amendment will ensure that Turkey complies with the Humanitarian Aid Corridor Act before it receives any additional economic support funds.

I would also like to extend my support for the amendment offered by Representatives RADANOVICH and BONIOR. This amendment would withhold \$3 million of United States aid to Turkey until the Turkish Government has acknowledged the atrocities committed against the Armenian people. By linking Turkey's denial of this genocide to United States foreign aid levels, this amendment provides a practical incentive for Turkey to finally acknowledge its role in this genocide. Moreover, it would begin to decrease regional tensions and open the door to improved relations between Armenia and Turkey.

I would also like to express my support for the amendment offered by Mr. KENNEDY of Massachusetts to prohibit funding for the U.S. Army's School of the Americas. While the amendment was withdrawn, his underlying bill, H.R. 2652, is a legislative proposal worth supporting.

The School of the Americas and its graduates have linked the United States to some of the worst human rights violators in Latin America. These human rights abusers have been responsible for murders, coups, and numerous disappearances. This shameful record casts doubts on the intentions of the United States and damages our relationships. We need to take a serious look at the school and the awful legacy that it has left in Latin America.

I believe that reasonable, responsible levels of foreign assistance will continue to serve the economic, humanitarian, political, and strategic interests of the United States. I urge my colleagues to support this legislation.

The SPEAKER pro tempore. The question is on engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

Pursuant to clause 7 of rule XV, the yeas and nays are ordered.

The vote was taken by electronic device and there were—yeas 366, nays 57, not voting 11, as follows:

[Roll No. 228]

YEAS—366

Abercrombie	Edwards	Klug
Ackerman	Ehrlich	Knollenberg
Allard	Emerson	Kolbe
Andrews	Engel	LaFalce
Archer	English	LaHood
Armey	Ensign	Lantos
Bachus	Eshoo	Largent
Baessler	Evans	Latham
Baker (CA)	Ewing	LaTourette
Baker (LA)	Farr	Lazio
Baldacci	Fawell	Leach
Ballenger	Fazio	Levin
Barcia	Fields (LA)	Lewis (CA)
Barr	Fields (TX)	Lewis (GA)
Barrett (WI)	Filner	Lewis (KY)
Bartlett	Flake	Lightfoot
Barton	Flanagan	Linder
Bass	Foley	Lipinski
Becerra	Forbes	Livingston
Bentsen	Ford	LoBiondo
Bereuter	Fowler	Lofgren
Berman	Fox	Longley
Bevill	Frank (MA)	Lowey
Bilbray	Franks (CT)	Luther
Bilirakis	Franks (NJ)	Maloney
Bishop	Frelinghuysen	Manton
Bliley	Frisa	Manzullo
Blumenauer	Frost	Markey
Blute	Funderburk	Martinez
Boehlert	Furse	Martini
Boehner	Gallegly	Mascara
Bonilla	Ganske	Matsui
Bonior	Gejdenson	McCarthy
Bono	Gekas	McCollum
Borski	Gephardt	McCrery
Boucher	Geren	McHale
Brewster	Gilchrest	McHugh
Browder	Gillmor	McInnis
Brown (CA)	Gilman	McIntosh
Brown (FL)	Gonzalez	McKeon
Brown (OH)	Goodlatte	McKinney
Brownback	Goodling	McNulty
Bryant (TN)	Gordon	Meehan
Bryant (TX)	Goss	Meek
Bunn	Graham	Menendez
Burr	Green (TX)	Metcalfe
Burton	Greene (UT)	Mica
Buyer	Greenwood	Millender-
Callahan	Gunderson	McDonald
Camp	Gutierrez	Miller (FL)
Canady	Hall (OH)	Mink
Cardin	Hamilton	Moakley
Castle	Hastert	Molinari
Chabot	Hastings (WA)	Moorhead
Chambliss	Hayes	Moran
Chapman	Hayworth	Morella
Christensen	Hefner	Murtha
Chrysler	Heineman	Myers
Clay	Hilleary	Myrick
Clayton	Hilliard	Nadler
Clement	Hinchey	Neal
Clinger	Hobson	Nethercutt
Clyburn	Hoekstra	Ney
Coble	Hoke	Norwood
Coleman	Holden	Nussle
Collins (GA)	Horn	Obey
Collins (IL)	Hostettler	Olver
Collins (MI)	Houghton	Ortiz
Costello	Hoyer	Orton
Cox	Hunter	Owens
Coyne	Hutchinson	Oxley
Cramer	Hyde	Packard
Crane	Inglis	Pallone
Crapo	Istook	Parker
Creameans	Jackson (IL)	Pastor
Cubin	Jackson-Lee	Paxon
Cummings	(TX)	Payne (VA)
Cunningham	Jefferson	Pelosi
Davis	Johnson (CT)	Peterson (FL)
de la Garza	Johnson (SD)	Peterson (MN)
Deal	Johnson, E.B.	Petri
DeLauro	Johnson, Sam	Pickett
DeLay	Johnston	Pomeroy
Dellums	Kanjorski	Porter
Diaz-Balart	Kaptur	Portman
Dickey	Kasich	Poshard
Dicks	Kelly	Pryce
Dingell	Kennedy (MA)	Quinn
Dixon	Kennedy (RI)	Ramstad
Doggett	Kennelly	Rangel
Dooley	Kildee	Reed
Dornan	Kim	Regula
Doyle	King	Richardson
Dreier	Kingston	Riggs
Dunn	Klecza	Rivers
Durbin	Klink	Roberts

Ros-Lehtinen	Smith (NJ)	Vento
Rose	Smith (TX)	Visclosky
Roth	Smith (WA)	Vucanovich
Roukema	Souder	Walker
Roybal-Allard	Spence	Walsh
Royce	Spratt	Wamp
Rush	Stearns	Ward
Sabo	Stenholm	Waters
Salmon	Stockman	Watt (NC)
Sanford	Stokes	Watts (OK)
Sawyer	Stupak	Waxman
Saxton	Talent	Weldon (FL)
Scarborough	Tate	Weldon (PA)
Schaefer	Tauzin	Weller
Schumer	Taylor (NC)	White
Scott	Tejeda	Wicker
Seastrand	Thomas	Williams
Serrano	Thompson	Wilson
Shadegg	Thornberry	Wise
Shaw	Thornton	Wolf
Shays	Thurman	Woolsey
Sisisky	Tiahrt	Wynn
Skaggs	Torkildsen	Yates
Skeen	Torres	Young (AK)
Skelton	Torricelli	Zeliff
Slaughter	Towns	Zimmer
Smith (MI)	Upton	

## NAYS—57

Barrett (NE)	Hall (TX)	Quillen
Beilenson	Hancock	Rahall
Bunning	Hansen	Roemer
Campbell	Hefley	Rogers
Chenoweth	Herger	Rohrabacher
Coburn	Jacobs	Sanders
Combest	Jones	Schroeder
Condit	Laughlin	Sensenbrenner
Conyers	Lucas	Shuster
Cooley	McDermott	Solomon
Danner	Meyers	Stark
DeFazio	Miller (CA)	Stump
Doolittle	Minge	Tanner
Duncan	Mollohan	Taylor (MS)
Ehlers	Montgomery	Trafficant
Everett	Neumann	Velazquez
Fattah	Oberstar	Volkmer
Foglietta	Payne (NJ)	Whitfield
Gutknecht	Pombo	Young (FL)

## NOT VOTING—11

Bateman	Harman	Radanovich
Calvert	Hastings (FL)	Schiff
Deutsch	Lincoln	Studds
Gibbons	McDade	

□ 1546

Mr. HEFLEY changed his vote from "yea" to "nay."

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## PERSONAL EXPLANATION

Mr. DEUTSCH. Mr. Speaker, I missed two rollcall votes earlier today because I was unavoidably detained. Had I been present, I would have voted "no" on rollcall vote No. 227 and "yes" on rollcall vote No. 228.

# PROVIDING FOR CONSIDERATION OF H.R. 3603, AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 1997

Mr. LINDER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 451 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

## H. RES. 451

*Resolved*, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the

House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 3603) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 1997, and for other purposes. The first reading of the bill shall be dispensed with. Points of order against consideration of the bill for failure to comply with clause 2(l)(6) of rule XI, clause 7 of rule XXI, or section 302(c) of the Congressional Budget Act of 1974 are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. Points of order against provisions in the bill for failure to comply with clause 2 or 6 of rule XXI are waived. During consideration of the bill for amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 6 of rule XXIII. Amendments so printed shall be considered as read. The Chairman of the Committee of the Whole may postpone until a time during further consideration in the Committee of the Whole a request for a recorded vote on any amendment. The Chairman of the Committee of the Whole may reduce to not less than five minutes the time for voting by electronic device on any postponed question that immediately follows another vote by electronic device without intervening business, provided that the time for voting by electronic device on the first in any series of questions shall be not less than fifteen minutes. After the reading of the final lines of the bill, a motion that the Committee of the Whole rise and report the bill to the House with such amendments as may have been adopted shall, if offered by the majority leader or a designee, have precedence over a motion to amend. At the conclusion of consideration of the bill for amendment the Committee shall rise and report to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. During consideration of H.R. 3603 pursuant to the first section of this resolution, the appropriate allocation of new discretionary budget authority within the meaning of section 302(f)(1) of the Congressional Budget Act of 1974 shall be \$12,802,000,000. The corresponding level of budget outlays shall be \$13,349,000,000.

The SPEAKER pro tempore (Mr. HEFLEY). The gentleman from Georgia is recognized for 1 hour.

Mr. LINDER. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Ohio [Mr. HALL], pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

(Mr. LINDER asked and was given permission to revise and extend his remarks and include extraneous material.)

Mr. LINDER. Mr. Speaker, House Resolution 451 is an open rule providing for consideration of H.R. 3603, the

Agriculture, Rural Development, Food and Drug Administration and related agencies appropriations bill for fiscal year 1997.

The rule provides for 1 hour of general debate divided equally between the chairman and ranking minority member of the Committee on Appropriations.

The rule waives clause 2(l)(6) of rule 11, clause 7 of rule 21, or section 302(c) of the Budget Act against consideration of the bill. The rule also waives clause 2 of rule 21—which prohibits unauthorized appropriations and legislation on an appropriations bill—and waives clause 6 of rule 21—which prohibits reappropriating unexpended balances of appropriations in general appropriations bills—against provisions of the bill.

Under the conditions of House Resolution 451, after the reading of the final lines of the bill, a motion to rise, if offered by the majority leader or his designee, will have precedence over a motion to amend.

Mr. Speaker, this rule continues two new approaches on appropriations bills that were implemented during last year's appropriations process. First, the rule accords priority in recognition to Members who have preprinted their amendments in the CONGRESSIONAL RECORD. The rule does not require preprinting, but simply encourages Members to take advantage of the option in order to facilitate consideration of amendments on the House floor and to inform Members of the details of pending amendments.

Second, House Resolution 451 provides that the Chairman of the Committee of the Whole may postpone recorded votes on any amendment and that the Chairman may reduce voting time on postponed questions to 5 minutes, provided that the vote immediately follow another recorded vote and that the voting time on the first in a series of votes is not less than 15 minutes. This will provide a more definite voting schedule for all Members and hopefully will help guarantee the timely completion of the appropriations bills.

House Resolution 451 also provides for one motion to recommit, with or without instructions, as is the right of the minority Members of the House. Finally, in section 2 of the rule, House Resolution 451 provides that the section 602(b) allocations in the budget resolution conference report will be in effect for the consideration of this legislation.

Mr. Speaker, House Resolution 451 is a typical open rule to be considered for general appropriations bills. This rule does not restrict the normal open amending process in any way and any amendments that comply with the standing rules of the House may be offered for consideration. I know of a number of Members who wish to modify the bill through the amendment process, and I look forward to a thorough debate on those measures. While

a vast number of amendments is not expected, the rule permits those Members who have amendments every opportunity to offer them.

H.R. 3603 appropriates a total of \$53 million, which is \$10.3 billion less than was appropriated last year and is \$5.8 billion less than the amount requested by the President. The Appropriations Committee has once again had to balance a wide array of interests and make tough choices with scarce resources.

Specifically, the bill provides \$8.7 billion for child nutrition programs which is \$706 million more than last year and \$3.7 billion in funding for the special supplemental nutrition program for women, infants, and children. It also provides \$768 million for conservation programs, \$1.87 billion for rural economic and community development programs, \$27.6 billion for the food

stamp program, and \$7.41 billion for agricultural programs. It is also important to note that the appropriations and authorizing committees provided full freedom to farm contract funding.

I also wish to note that, under title 6 funding for the Food and Drug Administration, the Appropriations Committee has redirected funds from program management to assist with the medical device approval process. For some time, the FDA has not met its deadlines for approval of some food additive petitions, drugs and medical devices and I hope that we have sent the message that this Congress expects the FDA to meet their statutory approval requirements.

As we work to get our fiscal house in order, we must ensure that all funding is spent efficiently and where it is needed most. This bill achieves this goal. Notwithstanding the constraints

we now face after decades of fiscal irresponsibility, H.R. 3603 effectively funds programs for food safety, human nutrition, rural development, environmental conservation and agricultural research. In terms of our agricultural base, we must assure the well-being of our farmers, the health and nutrition of our citizens and the state of the environment. This bill responsibly maintains functions that are crucial to the health and safety of the American consumer and the future success of this Nation's farming communities.

H.R. 3603 was favorably reported out of the Committee on Appropriations, as was the open rule by the Rules Committee. I urge my colleagues to support the rule so that we may proceed with general debate and consideration of the merits of the bill.

Mr. Speaker, I submit the following material for the RECORD:

#### THE AMENDMENT PROCESS UNDER SPECIAL RULES REPORTED BY THE RULES COMMITTEE,<sup>1</sup> 103D CONGRESS V. 104TH CONGRESS

[As of June 10, 1996]

Rule type	103d Congress		104th Congress	
	Number of rules	Percent of total	Number of rules	Percent of total
Open/Modified-open <sup>2</sup>	46	44	72	59
Structured/Modified Closed <sup>3</sup>	49	47	33	27
Closed <sup>4</sup>	9	9	17	14
Total	104	100	122	100

<sup>1</sup> This table applies only to rules which provide for the original consideration of bills, joint resolutions or budget resolutions and which provide for an amendment process. It does not apply to special rules which only waive points of order against appropriations bills which are already privileged and are considered under an open amendment process under House rules.

<sup>2</sup> An open rule is one under which any Member may offer a germane amendment under the five-minute rule. A modified open rule is one under which any Member may offer a germane amendment under the five-minute rule subject only to an overall time limit on the amendment process and/or a requirement that the amendment be preprinted in the Congressional Record.

<sup>3</sup> A structured or modified closed rule is one under which the Rules Committee limits the amendments that may be offered only to those amendments designated in the special rule or the Rules Committee report to accompany it, or which preclude amendments to a particular portion of a bill, even though the rest of the bill may be completely open to amendment.

<sup>4</sup> A closed rule is one under which no amendments may be offered (other than amendments recommended by the committee in reporting the bill).

#### SPECIAL RULES REPORTED BY THE RULES COMMITTEE, 104TH CONGRESS

[As of June 10, 1996]

H. Res. No. (Date rept.)	Rule type	Bill No.	Subject	Disposition of rule
H. Res. 38 (1/18/95)	O	H.R. 5	Unfunded Mandate Reform	A: 350-71 (1/19/95).
H. Res. 44 (1/24/95)	MC	H. Con. Res. 17	Social Security	A: 255-172 (1/25/95).
		H.J. Res. 1	Balanced Budget Amdt	
H. Res. 51 (1/31/95)	O	H.R. 101	Land Transfer, Taos Pueblo Indians	A: voice vote (2/1/95).
H. Res. 52 (1/31/95)	O	H.R. 400	Land Exchange, Arctic Nat'l Park and Preserve	A: voice vote (2/1/95).
H. Res. 53 (1/31/95)	O	H.R. 440	Land Conveyance, Butte County, Calif	A: voice vote (2/1/95).
H. Res. 55 (2/1/95)	O	H.R. 2	Line Item Veto	A: voice vote (2/2/95).
H. Res. 60 (2/6/95)	O	H.R. 665	Victim Restitution	A: voice vote (2/7/95).
H. Res. 61 (2/6/95)	O	H.R. 666	Exclusionary Rule Reform	A: voice vote (2/7/95).
H. Res. 63 (2/8/95)	MO	H.R. 667	Violent Criminal Incarceration	A: voice vote (2/9/95).
H. Res. 69 (2/9/95)	O	H.R. 668	Criminal Alien Deportation	A: voice vote (2/10/95).
H. Res. 79 (2/10/95)	MO	H.R. 728	Law Enforcement Block Grants	A: voice vote (2/13/95).
H. Res. 83 (2/13/95)	MO	H.R. 7	National Security Revitalization	PO: 229-199; A: 227-197 (2/15/95).
H. Res. 88 (2/16/95)	MC	H.R. 831	Health Insurance Deductibility	PO: 230-191; A: 229-188 (2/21/95).
H. Res. 91 (2/21/95)	O	H.R. 830	Paperwork Reduction Act	A: voice vote (2/22/95).
H. Res. 92 (2/21/95)	MC	H.R. 889	Defense Supplemental	A: 282-144 (2/22/95).
H. Res. 93 (2/22/95)	MO	H.R. 450	Regulatory Transition Act	A: 252-175 (2/23/95).
H. Res. 96 (2/24/95)	MO	H.R. 1022	Risk Assessment	A: 253-165 (2/27/95).
H. Res. 100 (2/27/95)	O	H.R. 926	Regulatory Reform and Relief Act	A: voice vote (2/28/95).
H. Res. 101 (2/28/95)	MO	H.R. 925	Private Property Protection Act	A: 271-151 (3/2/95).
H. Res. 103 (3/3/95)	MO	H.R. 1058	Securities Litigation Reform	
H. Res. 104 (3/3/95)	MO	H.R. 988	Attorney Accountability Act	
H. Res. 105 (3/6/95)	MO			A: voice vote (3/6/95).
H. Res. 108 (3/7/95)	Debate	H.R. 956	Product Liability Reform	A: 257-155 (3/7/95).
H. Res. 109 (3/8/95)	MC			A: voice vote (3/8/95).
H. Res. 115 (3/14/95)	MO	H.R. 1159	Making Emergency Supp. Approps	PO: 234-191; A: 247-181 (3/9/95).
H. Res. 116 (3/15/95)	MC	H.J. Res. 73	Term Limits Const. Amdt	A: 242-190 (3/15/95).
H. Res. 117 (3/16/95)	Debate	H.R. 4	Personal Responsibility Act of 1995	A: voice vote (3/28/95).
H. Res. 119 (3/21/95)	MC			A: voice vote (3/21/95).
H. Res. 125 (4/3/95)	O	H.R. 1271	Family Privacy Protection Act	A: 217-211 (3/22/95).
H. Res. 126 (4/3/95)	O	H.R. 660	Older Persons Housing Act	A: 423-1 (4/4/95).
H. Res. 128 (4/4/95)	MC	H.R. 1215	Contract With America Tax Relief Act of 1995	A: voice vote (4/6/95).
H. Res. 130 (4/5/95)	MC	H.R. 483	Medicare Select Expansion	A: 228-204 (4/5/95).
H. Res. 136 (5/1/95)	O	H.R. 655	Hydrogen Future Act of 1995	A: 253-172 (4/6/95).
H. Res. 139 (5/3/95)	O	H.R. 1361	Coast Guard Auth. FY 1996	A: voice vote (5/2/95).
H. Res. 140 (5/9/95)	O	H.R. 961	Clean Water Amendments	A: voice vote (5/9/95).
H. Res. 144 (5/11/95)	O	H.R. 535	Fish Hatchery—Arkansas	A: 414-4 (5/10/95).
H. Res. 145 (5/11/95)	O	H.R. 584	Fish Hatchery—Iowa	A: voice vote (5/15/95).
H. Res. 146 (5/11/95)	O	H.R. 614	Fish Hatchery—Minnesota	A: voice vote (5/15/95).
H. Res. 149 (5/16/95)	MC	H. Con. Res. 67	Budget Resolution FY 1996	PO: 252-170; A: 255-168 (5/17/95).
H. Res. 155 (5/22/95)	MO	H.R. 1561	American Overseas Interests Act	A: 233-176 (5/23/95).
H. Res. 164 (6/8/95)	MC	H.R. 1530	Nat. Defense Auth. FY 1996	PO: 225-191; A: 233-183 (6/13/95).
H. Res. 167 (6/15/95)	O	H.R. 1817	MillCon Appropriations FY 1996	PO: 223-180; A: 245-155 (6/16/95).
H. Res. 169 (6/19/95)	MC	H.R. 1854	Leg. Branch Approps. FY 1996	PO: 232-196; A: 236-191 (6/20/95).
H. Res. 170 (6/20/95)	O	H.R. 1868	For. Ops. Approps. FY 1996	PO: 221-178; A: 217-175 (6/22/95).
H. Res. 171 (6/22/95)	O	H.R. 1905	Energy & Water Approps. FY 1996	A: voice vote (7/12/95).
H. Res. 173 (6/27/95)	C	H.J. Res. 79	Flag Constitutional Amendment	PO: 258-170; A: 271-152 (6/28/95).
H. Res. 176 (6/28/95)	MC	H.R. 1944	Emer. Supp. Approps	PO: 236-194; A: 234-192 (6/29/95).
H. Res. 185 (7/11/95)	O	H.R. 1977	Interior Approps. FY 1996	PO: 235-193; D: 192-238 (7/12/95).
H. Res. 187 (7/12/95)	O	H.R. 1977	Interior Approps. FY 1996 #2	PO: 230-194; A: 229-195 (7/13/95).
H. Res. 188 (7/12/95)	O	H.R. 1976	Agriculture Approps. FY 1996	PO: 242-185; A: voice vote (7/18/95).
H. Res. 190 (7/17/95)	O	H.R. 2020	Treasury/Postal Approps. FY 1996	PO: 232-192; A: voice vote (7/18/95).

## SPECIAL RULES REPORTED BY THE RULES COMMITTEE, 104TH CONGRESS—Continued

[As of June 10, 1996]

H. Res. No. (Date rept.)	Rule type	Bill No.	Subject	Disposition of rule
H. Res. 193 (7/19/95)	C	H.J. Res. 96	Disapproval of MFN to China	A: voice vote (7/20/95).
H. Res. 194 (7/19/95)	O	H.R. 2002	Transportation Approps. FY 1996	PQ: 217–202 (7/21/95).
H. Res. 197 (7/21/95)	O	H.R. 70	Exports of Alaskan Crude Oil	A: voice vote (7/24/95).
H. Res. 198 (7/21/95)	O	H.R. 2076	Commerce, State Approps. FY 1996	A: voice vote (7/25/95).
H. Res. 201 (7/25/95)	O	H.R. 2099	VA/HUD Approps. FY 1996	A: 230–189 (7/25/95).
H. Res. 204 (7/28/95)	MC	S. 21	Terminating U.S. Arms Embargo on Bosnia	A: voice vote (8/1/95).
H. Res. 205 (7/28/95)	O	H.R. 2126	Defense Approps. FY 1996	A: 409–1 (7/31/95).
H. Res. 207 (8/1/95)	MC	H.R. 1555	Communications Act of 1995	A: 255–156 (8/2/95).
H. Res. 208 (8/1/95)	O	H.R. 2127	Labor, HHS Approps. FY 1996	A: 323–104 (8/2/95).
H. Res. 215 (9/7/95)	O	H.R. 1594	Economically Targeted Investments	A: voice vote (9/12/95).
H. Res. 216 (9/7/95)	MO	H.R. 1655	Intelligence Authorization FY 1996	A: voice vote (9/12/95).
H. Res. 218 (9/12/95)	O	H.R. 1162	Deficit Reduction Lockbox	A: voice vote (9/13/95).
H. Res. 219 (9/12/95)	O	H.R. 1670	Federal Acquisition Reform Act	A: 414–0 (9/13/95).
H. Res. 222 (9/18/95)	O	H.R. 1617	CAREERS Act	A: 388–2 (9/19/95).
H. Res. 224 (9/19/95)	O	H.R. 2274	Natl. Highway System	PQ: 241–173 A: 375–39–1 (9/20/95).
H. Res. 225 (9/19/95)	MC	H.R. 927	Cuban Liberty & Dem. Solidarity	A: 304–118 (9/20/95).
H. Res. 226 (9/21/95)	O	H.R. 743	Team Act	A: 344–66–1 (9/27/95).
H. Res. 227 (9/21/95)	O	H.R. 1170	3-Judge Court	A: voice vote (9/28/95).
H. Res. 228 (9/21/95)	O	H.R. 1601	Internatl. Space Station	A: voice vote (9/27/95).
H. Res. 230 (9/27/95)	C	H.J. Res. 108	Continuing Resolution FY 1996	A: voice vote (9/28/95).
H. Res. 234 (9/29/95)	O	H.R. 2405	Omnibus Science Auth.	A: voice vote (10/11/95).
H. Res. 237 (10/17/95)	MC	H.R. 2259	Disapprove Sentencing Guidelines	A: voice vote (10/18/95).
H. Res. 238 (10/18/95)	MC	H.R. 2425	Medicare Preservation Act	PQ: 231–194 A: 227–192 (10/19/95).
H. Res. 239 (10/19/95)	C	H.R. 2492	Leg. Branch Approps	PQ: 235–184 A: voice vote (10/31/95).
H. Res. 245 (10/25/95)	MC	H. Con. Res. 109	Social Security Earnings Reform	PQ: 228–191 A: 235–185 (10/26/95).
		H.R. 2491	Seven-Year Balanced Budget	
H. Res. 251 (10/31/95)	C	H.R. 1833	Partial Birth Abortion Ban	A: 237–190 (11/1/95).
H. Res. 252 (10/31/95)	MO	H.R. 2546	D.C. Approps.	A: 241–181 (11/1/95).
H. Res. 257 (11/7/95)	C	H.J. Res. 115	Cont. Res. FY 1996	A: 216–210 (11/8/95).
H. Res. 258 (11/8/95)	MC	H.R. 2586	Debt Limit	A: 220–200 (11/10/95).
H. Res. 259 (11/9/95)	O	H.R. 2539	ICC Termination Act	A: voice vote (11/14/95).
H. Res. 262 (11/9/95)	C	H.R. 2586	Increase Debt Limit	A: 220–185 (11/10/95).
H. Res. 269 (11/15/95)	O	H.R. 2564	Lobbying Reform	A: voice vote (11/16/95).
H. Res. 270 (11/15/95)	C	H.J. Res. 122	Further Cont. Resolution	A: 249–176 (11/15/95).
H. Res. 273 (11/16/95)	MC	H.R. 2606	Prohibition on Funds for Bosnia	A: 239–181 (11/17/95).
H. Res. 284 (11/29/95)	O	H.R. 1788	Amtrak Reform	A: voice vote (11/30/95).
H. Res. 287 (11/30/95)	O	H.R. 1350	Maritime Security Act	A: voice vote (12/6/95).
H. Res. 293 (12/7/95)	C	H.R. 2621	Protect Federal Trust Funds	PQ: 223–183 A: 228–184 (12/14/95).
H. Res. 303 (12/13/95)	O	H.R. 1745	Utah Public Lands	PQ: 221–197 A: voice vote (5/15/96).
H. Res. 309 (12/18/95)	C	H. Con. Res. 122	Budget Res. W/President	PQ: 230–188 A: 229–189 (12/19/95).
H. Res. 313 (12/19/95)	O	H.R. 558	Texas Low-Level Radioactive	A: voice vote (12/20/95).
H. Res. 323 (12/21/95)	C	H.R. 2677	Natl. Parks & Wildlife Refuge	Tabled (2/28/96).
H. Res. 366 (2/27/96)	MC	H.R. 2854	Farm Bill	PQ: 228–182 A: 244–168 (2/28/96).
H. Res. 368 (2/28/96)	O	H.R. 994	Small Business Growth	Tabled (4/17/96).
H. Res. 371 (3/6/96)	C	H.R. 3021	Debt Limit Increase	A: voice vote (3/7/96).
H. Res. 372 (3/6/96)	MC	H.R. 3019	Cont. Approps. FY 1996	PQ: voice vote A: 235–175 (3/7/96).
H. Res. 380 (3/12/96)	C	H.R. 2703	Effective Death Penalty	A: 251–157 (3/13/96).
H. Res. 384 (3/14/96)	MC	H.R. 2202	Immigration	PQ: 233–152 A: voice vote (3/19/96).
H. Res. 386 (3/20/96)	C	H.J. Res. 165	Further Cont. Approps	PQ: 234–187 A: 237–183 (3/21/96).
H. Res. 388 (3/21/96)	C	H.R. 125	Gun Crime Enforcement	A: 244–166 (3/22/96).
H. Res. 391 (3/27/96)	C	H.R. 3136	Contract w/America Advancement	PQ: 232–180 A: 232–177, (3/28/96).
H. Res. 392 (3/27/96)	MC	H.R. 3103	Health Coverage Affordability	PQ: 229–186 A: Voice Vote (3/29/96).
H. Res. 395 (3/29/96)	MC	H.J. Res. 159	Tax Limitation Const. Amdmt.	PQ: 232–168 A: 234–162 (4/15/96).
H. Res. 396 (3/29/96)	O	H.R. 842	Truth in Budgeting Act	A: voice vote (4/17/96).
H. Res. 409 (4/23/96)	O	H.R. 2715	Paperwork Elimination Act	A: voice vote (4/24/96).
H. Res. 410 (4/23/96)	O	H.R. 1675	Natl. Wildlife Refuge	A: voice vote (4/24/96).
H. Res. 411 (4/23/96)	C	H.J. Res. 175	Further Cont. Approps. FY 1996	A: voice vote (4/24/96).
H. Res. 418 (4/30/96)	O	H.R. 2641	U.S. Marshals Service	PQ: 219–203 A: voice vote (5/1/96).
H. Res. 419 (4/30/96)	O	H.R. 2149	Ocean Shipping Reform	A: 422–0 (5/1/96).
H. Res. 421 (5/2/96)	O	H.R. 2974	Crimes Against Children & Elderly	A: voice vote (5/7/96).
H. Res. 422 (5/2/96)	O	H.R. 3120	Witness & Jury Tampering	A: voice vote (5/7/96).
H. Res. 426 (5/7/96)	O	H.R. 2406	U.S. Housing Act of 1996	PQ: 218–208 A: voice vote (5/8/96).
H. Res. 427 (5/7/96)	O	H.R. 3322	Omnibus Civilian Science Auth.	A: voice vote (5/9/96).
H. Res. 428 (5/7/96)	MC	H.R. 3286	Adoption Promotion & Stability	A: voice vote (5/9/96).
H. Res. 430 (5/9/96)	S	H.R. 3230	DoD Auth. FY 1997	A: 235–149 (5/10/96).
H. Res. 435 (5/15/96)	MC	H. Con. Res. 178	Con. Res. on the Budget, 1997	PQ: 227–196 A: voice vote (5/16/96).
H. Res. 436 (5/16/96)	C	H.R. 3415	Repeal 4.3 cent fuel tax	PQ: 221–181 A: voice vote (5/21/96).
H. Res. 437 (5/16/96)	MO	H.R. 3259	Intell. Auth. FY 1997	A: voice vote (5/21/96).
H. Res. 438 (5/16/96)	MC	H.R. 3144	Defend America Act	
H. Res. 440 (5/21/96)	MC	H.R. 3448	Small Bus. Job Protection	A: 219–211 (5/22/96).
	MC	H.R. 1227	Employee Commuting Flexibility	
H. Res. 442 (5/29/96)	O	H.R. 3517	Mil. Const. Approps. FY 1997	A: voice vote (5/30/96).
H. Res. 445 (5/30/96)	O	H.R. 3540	For. Ops. Approps. FY 1997	A: voice vote (6/5/96).
H. Res. 446 (6/5/96)	MC	H.R. 3562	WI Works Waiver Approval	A: 363–59 (6/6/96).
H. Res. 448 (6/6/96)	MC	H.R. 2754	Shipbuilding Trade Agreement	
H. Res. 450 (6/10/96)	O	H.R. 3603	Agriculture Appropriations, FY 1997	

Codes: O=open rule; MO=modified open rule; MC=modified closed rule; S/C=structured/closed rule; A=adoption vote; D=defeated; PQ=previous question vote. Source: Notices of Action Taken, Committee on Rules, 104th Congress.

Mr. LINDER. Mr. Speaker, I reserve the balance of my time.

Mr. HALL of Ohio. Mr. Speaker, I yield myself such time as I may consume and I thank my colleague from Georgia, Mr. LINDER, for yielding me the time.

(Mr. HALL of Ohio asked and was given permission to revise and extend his remarks and include extraneous material.)

Mr. HALL of Ohio. Mr. Speaker, House Resolution 451 is an open rule which will allow full and fair debate on H.R. 3603, a bill appropriating \$52.7 billion in fiscal year 1997 for agriculture, rural development, Food and Drug Administration, and related agencies.

As my colleague from Georgia has described, this rule provides 1 hour of general debate, equally divided and

controlled by the chairman and ranking minority member of the Committee on Appropriations.

Under this rule, germane amendments will be allowed under the 5-minute rule, the normal amending process in the House. All Members, on both sides of the aisle, will have the opportunity to offer amendments.

The Rules Committee reported the rule by a voice vote.

I recognize that the Appropriations Committee was forced to make difficult choices in allocating a shrinking pie. However, I am disturbed with the levels appropriated under title II of Public Law 480 Food for Peace Program which provides American-grown food to foreign countries to combat hunger and malnutrition.

With the greatest agricultural productivity in the world, the United States is the best positioned nation to provide international food aid. However, since 1993, the quantity of U.S. food shipped to hungry people of the world has already been cut in half. As the United States has backed away from its responsibility, so have other donor nations.

The committee approved the President's request of \$837 million for this program, which is an increase of \$16 million over last year's level. However, because grain price increases exceed the funding increase, the result will severely erode the purchasing power of Food for Peace and drive down to record lows the amount of food that we send to poor countries.



The money in this bill for title II will only purchase an estimated 1.8 million metric tons, falling well short of the 2.25 million metric ton minimum floor level authorized in the 1995 farm bill. This represents a meager 23 percent of the amount shipped only 4 years earlier.

I want to stress that the money is used to purchase American-grown commodities. Thus, this program has a direct benefit to our own farmers, processors, shippers, ports, baggers, fortifiers, and workers.

The prospect of any further cuts in U.S. food assistance is especially alarming in light of recent reports from the Department of Agriculture and the U.N.'s Food and Agriculture Organization that point to a looming gap between food needs and supplies. Conditions in Africa are especially alarming, with an estimated 22 million people facing a food emergency and 9 million at risk of malnutrition in east Africa alone.

During the Rules Committee consideration of this bill, I requested a waiver to offer an amendment that would have permitted a transfer of money from the Export Enhancement Program to the Food for Peace Program at the discretion of the Agriculture Secretary. My proposed amendment was similar to a provision in the farm bill that was adopted on the House floor last year, but that was later dropped in conference. The amendment would not require any program to be cut. However, the committee rejected my request.

Mr. Speaker, I am disappointed that I will not have an opportunity to offer my amendment. I will continue to look for a way to at least maintain the amount of food aid we give to poor countries because I believe that we have a moral responsibility as a world leader, because I believe that our Food for Peace Program helps American farmers and has the support of the American people, and because I know this program means the difference between life and death for millions of people.

Unless more funds can be added to this account, the United States will be unable to respond to food emergencies around the globe and many could die. Our Nation has the power to avert this tragedy.

I am frustrated that we refuse to use that power to save lives.

□ 1600

Mr. Speaker, I reserve the balance of my time.

Mr. LINDER. Mr. Speaker, I yield 2 minutes to the gentleman from Florida [Mr. GOSS], a colleague on the Committee on Rules.

(Mr. GOSS asked and was given permission to revise and extend his remarks.)

Mr. GOSS. Mr. Speaker, I thank my friend from Tucker, GA, for yielding me this time. I rise in strong support of this fair and open rule. When it comes to the core congressional responsibility of spending, and savings, Americans' tax dollars, it is vital that all Members have the opportunity for direct input.

It is through open rules that we provide this opportunity to those Members who do not sit on the Appropriations Committee, and I am pleased to note that our record for rules on appropriations bills this year is 100 percent open.

Mr. Speaker, this Congress' record on restoring fiscal responsibility is also impressive. It is hard to believe that just 2 years ago our congressional budgets never sought to reach balance—now we are on a glidepath to balance the budget by 2002. It hasn't been easy to do; we've met with strong resistance from the White House and others, but we have persisted and I applaud Chairman LIVINGSTON and the Appropriations Committee for having the strength and the courage to stay the course. Of course, there will always be areas of disagreement over specific issues, and the bill before us today—the agriculture appropriations bill—has its share of controversial provisions. Under this open rule, I look forward to a full debate on all of these important spending decisions. I urge my colleagues to support this rule.

Mr. HALL of Ohio. Mr. Speaker, I yield myself such time as I may consume to say that at the beginning of this Congress the Republican majority claimed the House was going to consider bills under an open process, and I would like to point out that 65 percent of the legislation this session has been considered under a restrictive process, and I include for the RECORD information regarding same.

The information referred to follows:

FLOOR PROCEDURE IN THE 104TH CONGRESS 1ST SESSION; COMPILED BY THE RULES COMMITTEE DEMOCRATS

Bill No.	Title	Resolution No.	Process used for floor consideration	Amendments in order
H.R. 1*	Compliance .....	H. Res. 6	Closed .....	None.
H. Res. 6	Opening Day Rules Package .....	H. Res. 5	Closed .....	None.
H.R. 5*	Unfunded Mandates .....	H. Res. 38	Restrictive .....	N/A.
H.J. Res. 2*	Balanced Budget .....	H. Res. 44	Restrictive .....	2R: 4D.
H. Res. 43	Committee Hearings Scheduling .....	H. Res. 43 (OJ)	Restrictive .....	N/A.
H.R. 101	To transfer a parcel of land to the Taos Pueblo Indians of New Mexico.	H. Res. 51	Open .....	N/A.
H.R. 400	To provide for the exchange of lands within Gates of the Arctic National Park Preserve.	H. Res. 52	Open .....	N/A.
H.R. 440	To provide for the conveyance of lands to certain individuals in Butte County, California.	H. Res. 53	Open .....	N/A.
H.R. 2*	Line Item Veto .....	H. Res. 55	Open .....	N/A.
H.R. 665*	Victim Restitution Act of 1995 .....	H. Res. 61	Open .....	N/A.
H.R. 666*	Exclusionary Rule Reform Act of 1995 .....	H. Res. 63	Open .....	N/A.
H.R. 667*	Violent Criminal Incarceration Act of 1995 .....	H. Res. 63	Restrictive .....	N/A.
H.R. 668*	The Criminal Alien Deportation Improvement Act .....	H. Res. 69	Open .....	N/A.
H.R. 728*	Local Government Law Enforcement Block Grants .....	H. Res. 79	Restrictive .....	N/A.
H.R. 7*	National Security Revitalization Act .....	H. Res. 83	Restrictive .....	N/A.
H.R. 729*	Death Penalty/Habeas .....	N/A	Restrictive .....	N/A.
S. 2	Senate Compliance .....	N/A	Closed .....	None.
H.R. 831	To Permanently Extend the Health Insurance Deduction for the Self-Employed.	H. Res. 88	Restrictive .....	1D.
H.R. 830*	The Paperwork Reduction Act .....	H. Res. 91	Open .....	N/A.
H.R. 889	Emergency Supplemental/Rescinding Certain Budget Authority .....	H. Res. 92	Restrictive .....	1D.
H.R. 450*	Regulatory Moratorium .....	H. Res. 93	Restrictive .....	N/A.
H.R. 1022*	Risk Assessment .....	H. Res. 96	Restrictive .....	N/A.
H.R. 926*	Regulatory Flexibility .....	H. Res. 100	Open .....	N/A.
H.R. 925*	Private Property Protection Act .....	H. Res. 101	Restrictive .....	1D.
H.R. 1058*	Securities Litigation Reform Act .....	H. Res. 105	Restrictive .....	1D.
H.R. 988*	The Attorney Accountability Act of 1995 .....	H. Res. 104	Restrictive .....	N/A.
H.R. 956*	Product Liability and Legal Reform Act .....	H. Res. 109	Restrictive .....	8D; 7R.
H.R. 1158	Making Emergency Supplemental Appropriations and Rescissions .....	H. Res. 115	Restrictive .....	N/A.
H.J. Res. 73*	Term Limits .....	H. Res. 116	Restrictive .....	1D; 3R.
H.R. 4*	Welfare Reform .....	H. Res. 119	Restrictive .....	5D; 26R.
H.R. 1271*	Family Privacy Act .....	H. Res. 125	Open .....	N/A.
H.R. 660*	Housing for Older Persons Act .....	H. Res. 126	Open .....	N/A.
H.R. 1215*	The Contract With America Tax Relief Act of 1995 .....	H. Res. 129	Restrictive .....	1D.
H.R. 483	Medicare Select Extension .....	H. Res. 130	Restrictive .....	1D.
H.R. 655	Hydrogen Future Act .....	H. Res. 136	Open .....	N/A.
H.R. 1361	Coast Guard Authorization .....	H. Res. 139	Open .....	N/A.
H.R. 961	Clean Water Act .....	H. Res. 140	Open .....	N/A.
H.R. 535	Coming National Fish Hatchery Conveyance Act .....	H. Res. 144	Open .....	N/A.
H.R. 584	Conveyance of the Fairport National Fish Hatchery to the State of Iowa.	H. Res. 145	Open .....	N/A.
H.R. 614	Conveyance of the New London National Fish Hatchery Production Facility.	H. Res. 146	Open .....	N/A.
H. Con. Res. 67	Budget Resolution .....	H. Res. 149	Restrictive .....	3D; 1R.
H.R. 1561	American Overseas Interests Act of 1995 .....	H. Res. 155	Restrictive .....	N/A.

## FLOOR PROCEDURE IN THE 104TH CONGRESS 1ST SESSION; COMPILED BY THE RULES COMMITTEE DEMOCRATS—Continued

Bill No.	Title	Resolution No.	Process used for floor consideration	Amendments in order
H.R. 1530 .....	National Defense Authorization Act: FY 1996 .....	H. Res. 164	Restrictive .....	36R: 18D: 2 Bipartisan.
H.R. 1817 .....	Military Construction Appropriations: FY 1996 .....	H. Res. 167	Open .....	N/A
H.R. 1854 .....	Legislative Branch Appropriations .....	H. Res. 169	Restrictive .....	5R: 4D: 2 Bipartisan.
H.R. 1868 .....	Foreign Operations Appropriations .....	H. Res. 170	Open .....	N/A
H.R. 1905 .....	Energy & Water Appropriations .....	H. Res. 171	Open .....	N/A
H.J. Res. 79 .....	Constitutional Amendment to Permit Congress and States to Prohibit the Physical Desecration of the American Flag .....	H. Res. 173	Closed .....	N/A
H.R. 1944 .....	Recissions Bill .....	H. Res. 175	Restrictive .....	N/A
H.R. 1868 (2nd rule) .....	Foreign Operations Appropriations .....	H. Res. 177	Restrictive .....	N/A
H.R. 1977 *Rule Defeated* .....	Interior Appropriations .....	H. Res. 185	Open .....	N/A
H.R. 1977 .....	Interior Appropriations .....	H. Res. 187	Open .....	N/A
H.R. 1976 .....	Agriculture Appropriations .....	H. Res. 188	Open .....	N/A
H.R. 1977 (3rd rule) .....	Interior Appropriations .....	H. Res. 189	Restrictive .....	N/A
H.R. 2020 .....	Treasury Postal Appropriations .....	H. Res. 190	Open .....	N/A
H.J. Res. 96 .....	Disapproving MFN for China .....	H. Res. 193	Restrictive .....	N/A
H.R. 2002 .....	Transportation Appropriations .....	H. Res. 194	Open .....	N/A
H.R. 70 .....	Exports of Alaskan North Slope Oil .....	H. Res. 197	Open .....	N/A
H.R. 2076 .....	Commerce, Justice Appropriations .....	H. Res. 198	Open .....	N/A
H.R. 2099 .....	VA/HUD Appropriations .....	H. Res. 201	Open .....	N/A
S. 21 .....	Termination of U.S. Arms Embargo on Bosnia .....	H. Res. 204	Restrictive .....	1D.
H.R. 2126 .....	Defense Appropriations .....	H. Res. 205	Open .....	N/A
H.R. 1555 .....	Communications Act of 1995 .....	H. Res. 207	Restrictive .....	2R/3D/3 Bi- partisan.
H.R. 2127 .....	Labor/HHS Appropriations Act .....	H. Res. 208	Open .....	N/A
H.R. 1594 .....	Economically Targeted Investments .....	H. Res. 215	Open .....	N/A
H.R. 1655 .....	Intelligence Authorization .....	H. Res. 216	Restrictive .....	N/A
H.R. 1162 .....	Deficit Reduction Lock Box .....	H. Res. 218	Open .....	N/A
H.R. 1670 .....	Federal Acquisition Reform Act of 1995 .....	H. Res. 219	Open .....	N/A
H.R. 1617 .....	To Consolidate and Reform Workforce Development and Literacy Programs Act (CAREERS) .....	H. Res. 222	Open .....	N/A
H.R. 2274 .....	National Highway System Designation Act of 1995 .....	H. Res. 224	Open .....	N/A
H.R. 927 .....	Cuban Liberty and Democratic Solidarity Act of 1995 .....	H. Res. 225	Restrictive .....	2R/2D.
H.R. 743 .....	The Teamwork for Employees and Managers Act of 1995 .....	H. Res. 226	Open .....	N/A
H.R. 1170 .....	3-Judge Court for Certain Injunctions .....	H. Res. 227	Open .....	N/A
H.R. 1601 .....	International Space Station Authorization Act of 1995 .....	H. Res. 228	Open .....	N/A
H.J. Res. 108 .....	Making Continuing Appropriations for FY 1996 .....	H. Res. 230	Closed .....	N/A
H.R. 2405 .....	Omnibus Civilian Science Authorization Act of 1995 .....	H. Res. 234	Open .....	N/A
H.R. 2259 .....	To Disapprove Certain Sentencing Guideline Amendments .....	H. Res. 237	Restrictive .....	1D.
H.R. 2425 .....	Medicare Preservation Act .....	H. Res. 238	Restrictive .....	1D.
H.R. 2492 .....	Legislative Branch Appropriations Bill .....	H. Res. 239	Restrictive .....	N/A
H.R. 2491 .....	7 Year Balanced Budget Reconciliation Social Security Earnings Test Reform .....	H. Res. 245	Restrictive .....	1D.
H. Con. Res. 109 .....	Partial Birth Abortion Ban Act of 1995 .....	H. Res. 251	Closed .....	N/A
H.R. 1833 .....	D.C. Appropriations FY 1996 .....	H. Res. 252	Restrictive .....	N/A
H.J. Res. 115 .....	Further Continuing Appropriations for FY 1996 .....	H. Res. 257	Closed .....	N/A
H.R. 2586 .....	Temporary Increase in the Statutory Debt Limit .....	H. Res. 258	Restrictive .....	5R.
H.R. 2539 .....	ICC Termination .....	H. Res. 259	Open .....	N/A
H.J. Res. 115 .....	Further Continuing Appropriations for FY 1996 .....	H. Res. 261	Closed .....	N/A
H.R. 2586 .....	Temporary Increase in the Statutory Limit on the Public Debt .....	H. Res. 262	Closed .....	N/A
H. Res. 250 .....	House Gift Rule Reform .....	H. Res. 268	Closed .....	2R.
H.R. 2564 .....	Lobbying Disclosure Act of 1995 .....	H. Res. 269	Open .....	N/A
H.R. 2606 .....	Prohibition on Funds for Bosnia Deployment .....	H. Res. 273	Restrictive .....	N/A
H.R. 1788 .....	Amtrak Reform and Privatization Act of 1995 .....	H. Res. 289	Open .....	N/A
H.R. 1350 .....	Maritime Security Act of 1995 .....	H. Res. 287	Open .....	N/A
H.R. 2621 .....	To Protect Federal Trust Funds .....	H. Res. 293	Closed .....	N/A
H.R. 1745 .....	Utah Public Lands Management Act of 1995 .....	H. Res. 303	Open .....	N/A
H. Res. 304 .....	Providing for Debate and Consideration of Three Measures Relating to U.S. Troop Deployments in Bosnia .....	N/A	Closed .....	1D: 2R.
H. Res. 309 .....	Revised Budget Resolution .....	H. Res. 309	Closed .....	N/A
H.R. 558 .....	Texas Low-Level Radioactive Waste Disposal Compact Consent Act ..	H. Res. 313	Open .....	N/A
H.R. 2677 .....	The National Parks and National Wildlife Refuge Systems Freedom Act of 1995 .....	H. Res. 323	Closed .....	N/A
PROCEDURE IN THE 104TH CONGRESS 2D SESSION				
H.R. 1643 .....	To authorize the extension of nondiscriminatory treatment (MFN) to the products of Bulgaria .....	H. Res. 334	Closed .....	N/A
H.J. Res. 134 .....	Making continuing appropriations/establishing procedures making the transmission of the continuing resolution H.J. Res. 134 .....	H. Res. 336	Closed .....	N/A
H. Con. Res. 131 .....	Conveyance of National Marine Fisheries Service Laboratory at Gloucester, Massachusetts .....	H. Res. 338	Closed .....	N/A
H.R. 2924 .....	Social Security Guarantee Act .....	H. Res. 355	Closed .....	N/A
H.R. 2854 .....	The Agricultural Market Transition Program .....	H. Res. 366	Restrictive .....	5D: 9R: 2 Bipartisan.
H.R. 994 .....	Regulatory Sunset & Review Act of 1995 .....	H. Res. 368	Open rule: Rule tabled .....	N/A
H.R. 3021 .....	To Guarantee the Continuing Full Investment of Social Security and Other Federal Funds in Obligations of the United States .....	H. Res. 371	Closed rule .....	N/A
H.R. 3019 .....	A Further Downpayment Toward a Balanced Budget .....	H. Res. 372	Restrictive .....	2D/2R.
H.R. 2703 .....	The Effective Death Penalty and Public Safety Act of 1996 .....	H. Res. 380	Restrictive .....	6D: 7R: 4 Bipartisan.
H.R. 2202 .....	The Immigration and National Interest Act of 1995 .....	H. Res. 384	Restrictive .....	12D: 19R: 1 Bipartisan.
H.J. Res. 165 .....	Making further continuing appropriations for FY 1996 .....	H. Res. 386	Closed .....	N/A
H.R. 125 .....	The Gun Crime Enforcement and Second Amendment Restoration Act of 1996 .....	H. Res. 388	Closed .....	N/A
H.R. 3136 .....	The Contract With America Advancement Act of 1996 .....	H. Res. 391	Closed .....	N/A
H.R. 3103 .....	The Health Coverage Availability and Affordability Act of 1996 .....	H. Res. 392	Restrictive .....	N/A
H.J. Res. 159 .....	Tax Limitation Constitutional Amendment .....	H. Res. 395	Restrictive .....	1D.
H.R. 842 .....	Truth in Budgeting Act .....	H. Res. 396	Open .....	N/A
H.R. 2715 .....	Paperwork Elimination Act of 1996 .....	H. Res. 409	Open .....	N/A
H.R. 1675 .....	National Wildlife Refuge Improvement Act of 1995 .....	H. Res. 410	Open .....	N/A
H.J. Res. 175 .....	Further Continuing Appropriations for FY 1996 .....	H. Res. 411	Closed .....	N/A
H.R. 2641 .....	United States Marshals Service Improvement Act of 1996 .....	H. Res. 418	Open .....	N/A
H.R. 2149 .....	The Ocean Shipping Reform Act .....	H. Res. 419	Open .....	N/A
H.R. 2974 .....	To amend the Violent Crime Control and Law Enforcement Act of 1994 to provide enhanced penalties for crimes against elderly and child victims .....	H. Res. 421	Open .....	N/A
H.R. 3120 .....	To amend Title 18, United States Code, with respect to witness retaliation, witness tampering and jury tampering .....	H. Res. 422	Open .....	N/A
H.R. 2406 .....	The United States Housing Act of 1996 .....	H. Res. 426	Open .....	N/A
H.R. 3322 .....	Omnibus Civilian Science Authorization Act of 1996 .....	H. Res. 427	Open .....	N/A
H.R. 3286 .....	The Adoption Promotion and Stability Act of 1996 .....	H. Res. 428	Restrictive .....	1D: 1R.
H.R. 3230 .....	Defense Authorization Bill FY 1997 .....	H. Res. 430	Restrictive .....	41 amends: 20D: 17R: 4 bipartisan
H.R. 3415 .....	Repeal of the 4.3-Cent Increase in Transportation Fuel Taxes .....	H. Res. 436	Closed .....	N/A
H.R. 3259 .....	Intelligence Authorization Act for FY 1997 .....	H. Res. 437	Restrictive .....	N/A
H.R. 3144 .....	The Defend America Act .....	H. Res. 438	Restrictive .....	1D.
H.R. 3448/H.R. 1227 .....	The Small Business Job Protection Act of 1996, and The Employee Commuting Flexibility Act of 1996 .....	H. Res. 440	Restrictive .....	2R.

FLOOR PROCEDURE IN THE 104TH CONGRESS 1ST SESSION; COMPILED BY THE RULES COMMITTEE DEMOCRATS—Continued

Bill No.	Title	Resolution No.	Process used for floor consideration	Amendments in order
H.R. 3517	Military Construction Appropriations FY 1997	H. Res. 442	Open	N/A
H.R. 3540	Foreign Operations Appropriations FY 1997	H. Res. 445	Open	N/A
H.R. 3562	The Wisconsin Works Waiver Approval Act	H. Res. 446	Restrictive	N/A
H.R. 2754	Shipbuilding Trade Agreement Act	H. Res. 448	Restrictive	1R
H.R. 3603	Agriculture Appropriations FY 1997	H. Res. 451	Open	N/A

\* Contract Bills, 67% restrictive; 33% open. \*\* All legislation 1st Session, 53% restrictive; 47% open. \*\*\* All legislation 2d Session, 65% restrictive; 35% open. \*\*\*\* All legislation 104th Congress, 57% restrictive; 43% open. \*\*\*\*\* Restrictive rules are those which limit the number of amendments which can be offered, and include so-called modified open and modified closed rules as well as completely closed rules and rules providing for consideration in the House as opposed to the Committee of the Whole. This definition of restrictive rule is taken from the Republican chart of resolutions reported from the Rules Committee in the 103d Congress. N/A means not available.

Mr. LINDER. Mr. Speaker, I yield back the balance of my time and I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

#### GENERAL LEAVE

Mr. SKEEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 3603 and that I may include tabular and extraneous material.

The SPEAKER pro tempore (Mr. HEFLEY). Is there objection to the request of the gentleman from New Mexico?

There was no objection.

#### AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 1996

The SPEAKER pro tempore (Mr. HEFLEY). Pursuant to House Resolution 451 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 3603.

The Chair designates the gentleman from Virginia [Mr. GOODLATTE] as Chairman of the Committee of the Whole, and requests the gentleman from Georgia [Mr. LINDER] to assume the chair temporarily.

□ 1603

#### IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 3603) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 1997, and for other purposes with Mr. LINDER (Chairman pro tempore) in the chair.

The Clerk read the title of the bill.

The CHAIRMAN pro tempore. Pursuant to the rule, the bill is considered as having been read the first time.

Under the rule, the gentleman from New Mexico [Mr. SKEEN] and the gentleman from Illinois [Mr. DURBIN] will each be recognized for 30 minutes.

The Chair recognizes the gentleman from New Mexico [Mr. SKEEN]

Mr. SKEEN. Mr. Chairman, I am pleased to bring before the House today

H.R. 3603, a bill making appropriations for fiscal year 1997 for Agriculture, Rural Development, Food and Drug Administration and Related Agencies.

This bill is the product of 15 days of hearings conducted in March and April. We have published seven volumes of hearing records totaling 5,775 pages, with all the budget presentations and the full testimony of 304 witnesses including 19 Members of Congress.

Mr. Chairman, the bill was voted out of the subcommittee unanimously on May 30 and from the full committee on June 6. It was filed on June 7 and the copies of the bill, as amended, and the report have been available since Monday morning.

Our original allocation required us to cut nearly \$1 billion in budget authority from \$13 billion in discretionary spending, a nearly impossible task. However, our allocation situation improved considerably up to the day of the full committee markup, making our situation still difficult but much better than the original one, and for that I want to thank the gentleman from Louisiana, Chairman LIVINGSTON, for his help and his understanding of our situation.

Mr. Chairman, I would like to make clear for the benefit of all my colleagues, because we had several inquiries today, that the extra allocation mentioned in the press this morning is already factored in our bill. No extra allocation was given to this subcommittee that was not already factored into the full committee markup last week.

The bill totals \$52.7 billion in budget authority, which is \$10.4 billion less than fiscal year 1996, and \$5.8 billion less than the administration requested. The mandatory spending total in the bill is \$39.9 billion and the discretionary is \$12.8 billion.

This bill meets our targets for both budget authority and outlays. In discretionary spending the bill reduces the budget authority by \$509 million and outlays by \$228 million from fiscal year 1996.

Our priorities for funding this year, I think, are shared by most Members of the House, regardless of party. They are nutrition, food safety, research, rural development and the maintenance of programs that keep American agriculture strong and progressive.

Like all the appropriations subcommittees, we were severely hampered by the very late arrival of the Administration's budget, and complicating our task was the fact that the Administration budget proposal did not

reflect the reality of the recently passed farm bill.

Mr. Chairman, I would like now to summarize some of the major spending and saving elements of the bill.

The reorganizing and streamlining of the Department of Agriculture, which began in the Bush administration, continues. Some 43 agencies have been reduced to 29, and the work force has been reduced by 10,000 staff years since 1993. Our bill reduced Farm Service Agency salaries by more than \$48 million from fiscal year 1996.

Nearly two-thirds of the USDA budget is spent on nutrition and feeding programs, mainly mandatory programs such as food stamps and school lunch. WIC—the Women, Infants and Children feeding program—is a discretionary account but it may be the most important one we have in our jurisdiction. WIC is maintained at last year's funding level but with a substantial carryover. Some of this carryover may be directed to other critical programs at the discretion of the Secretary of Agriculture.

Child nutrition programs, including school lunch, school breakfast, and the child and adult food programs are funded at \$8.7 billion.

Spending on rural development has been reduced by more than \$258 million from fiscal year 1996 but we have consolidated programs and given the administration the flexibility it requested to better meet the requirements of each individual State.

Before I conclude, Mr. Chairman, I must say I read with considerable disappointment statements in the press attributed to Secretary Glickman regarding funding levels for rural development. When I met with the Secretary about a month ago to discuss the Fund for Rural America, he was not able to indicate what plans the administrations had for this new \$100 million program, even though he personally lobbied for its inclusion in the Farm Bill 3 months earlier. The administration also continues to ignore the serious problem for loan programs caused by the rise of interest rates.

Furthermore, the subcommittee was told back in February that an additional \$36 million would be transferred from WIC carryover funds into rural and water and sewer programs, which the administration claims he is a very high priority with them. This authority was given to USDA in the fiscal year 1996 appropriations bill and, as of last week, those funds have still not been transferred.

I would strongly suggest to the Secretary, with the best of intention, that

the best use of time and resources at USDA is in planning and executing actual projects that benefit rural America and not in the issuing of vague press releases and endless bureaucratic turf battles.

Mr. Chairman, I would like to thank all the members of the subcommittee and their staffs for their help on this bill, and they have all made substantial contributions. To my Republican friends, the gentleman from Indiana, JOHN MYERS, the gentleman from New York, JIM WALSH, the gentleman from Arkansas, JAY DICKEY, the gentleman from Georgia, JACK KINGSTON, the gentleman from California, FRANK RIGGS, the gentleman from Washington, GEORGE NETHERCUTT, and the gentleman from Louisiana, our full committee chairman, BOB LIVINGSTON. And to my Democratic friends, the gentleman from Wisconsin, DAVE OBEY, the distinguished ranking member of the committee, the gentleman from Illinois, DICK DURBIN, who is ranking on the subcommittee, the gentlewoman from Ohio, MARCY KAPTUR, the gentleman from Arkansas, RAY THORNTON, the gentlewoman from New York, NITA LOWEY, and the gentleman from California, VIC FAZIO. I would also like to commend the staff, headed by Mr. Tim Sanders, with Carol Murphy and John Ziolkowski, and also the USDA detailee, Martin Delgado, and my own personal member of that committee, Mr. Jaime Castillo.

Mr. Chairman and Members of the House, this bill supports programs that benefit every one of your constituents every day. It has nutrition programs for the young and the elderly, conservation programs that not only protect farmland but protect the watersheds that provide drinking water to our cities, food safety inspection, drug and medical device programs for every American consumer, and trade and rural development programs that support millions of jobs in rural and urban areas.

We have met our balanced budget obligations and we have done our best to meet the needs of food and fiber producers, consumers, public health and safety in rural America. It is a bipartisan bill to which Member on both sides of the aisle have made a contribution.

Mr. Chairman, last year we were given strong bipartisan support for the bill as passed by the House and the conference report. As a result, the bill was signed into law quickly after passage, and not one day, I repeat, not one day was lost in providing your constituents with the important programs in this bill. There was no shutdown in agriculture.

This bill deserves that same kind of support and treatment again this year, and I respectfully ask for my colleagues' help and their vote on final passage.

Mr. Chairman, I reserve the balance of my time.

Mr. DURBIN. Mr. Chairman, I yield myself such time as I may consume,

and I want to thank the gentleman for recognizing me to claim the other side's opening time.

I would like to salute first my colleague from New Mexico for a fine job under very difficult circumstances.

Mr. Chairman, we all know we are serious about budget deficit reduction, and as we have learned many years ago in the Committee on Appropriations, we deal in the reality of limited funds and unlimited needs. Our subcommittee, like so many others, has tried to fairly balance those two opposing situations. I think we have done a good job, although I will say there are some parts of it that I would like to have seen us do a little better job on.

Most people, when they hear the budget for the U.S. Department of Agriculture, think in terms of farmers and ranchers and do not think about the other major responsibilities of the department.

The gentleman from New Mexico [Mr. SKEEN] properly noted the responsibility of this department in the area of nutrition. One of the programs that I have focused on in my tenure in the House of Representatives, serving on the subcommittee, is the WIC Program, the supplemental feeding program for women infants and children. It is a program which is designed to help low-income mothers during their pregnancy and, after they have given birth, to raise healthy children.

I happen to think it is one of the single most important investments that U.S. taxpayers make. This program literally reaches and helps 40 percent, 40 percent of the infants in America. We are talking about a program that is essential to make certain that babies are born strong, healthy, with a fighting chance to become productive citizens.

This program, through the U.S. Department of Agriculture, is a Godsend in many parts of America where, otherwise, pregnant mothers would go without this assistance, counseling, and nutritional advice, and the basic foodstuffs that feed them during their pregnancies. And children, of course, new to the world, in those formative months, need the very best. This program was worked to make sure this happens.

Mr. Chairman, I am happy my colleague from New Mexico shares my dedication to this program. It should be bipartisan. It is a bipartisan program. I think our goal is to reach some 7.6 million, I am not certain of the exact figures as I stand here, by the end of this next fiscal year. And I hope we can do that in a bipartisan fashion.

We are hopeful that what we have done in this bill will provide the necessary funds for WIC to meet its goal of enrollment. I think the subcommittee has spoken informally, and we should put on the record here our commitment to return, if necessary, and ask for additional funds, if needed, to make sure the WIC Program is not underfunded. I hope that it is not.

I believe we have taken care of them, and if that is not the case, then I think

there is a general feeling that we must return and make sure that is done.

Mr. Chairman, let me speak about several other items in the bill that I think are important.

□ 1615

Agriculture research is often overlooked by people. We have colleagues of ours on the floor of the House who like to stand at these microphones and giggle about the names of some of these ag research projects. The Pink Bull Work project, they giggle. The Boll Weevil Eradication project. The Screw Worm project, and their sides are bursting as they laugh about the names of these projects.

Little do they know that the critical research that is being done in these areas is absolutely essential, not only for the farmers and ranchers involved, but for consumers and environmentalists. Our efforts to eradicate pests that attack cotton in America are essential because that is one of the crops that uses so many ag chemicals. As we find ways to reduce the pests assaulting cotton, we reduce the need for the use of ag chemicals and potential danger from runoff.

So I hope that some of my friends, particularly from the city, who like to get a good belly laugh over some of these ag research programs would be honest enough to take the time, as I have, to understand how important these programs are.

Mr. Chairman, I am sorry that we have had to cut back on ag research. It is an area where we should be spending our money and our investment.

I have to commend the chairman for the \$30 million additional in the Food Safety and Inspection Service. Each of us in America takes for granted the safety of meat and poultry and fish and food products that we buy at the grocery store. If we travel to a Third World country, we not only worry about the purity of the drinking water and the safety, but also the safety of the food that is being served to us. Has it been cooked long enough to be safe to eat?

That is usually not a concern in the United States because we have a good Food Safety and Inspection Service. We are in the process of making it dramatically better by moving to new technological ways to measure the danger to consumers and to go after them. This investment of \$30 million will help us reach that goal so that the hundreds and sometimes thousands of Americans who suffer from food contamination each year will be protected.

The cutback in funds for soil and water conservation is hurtful, and I hope that we can revisit this at some time in the future to restore some of these funds. It is an essential part of any effort to keep the environment clean, and I can tell my colleagues that our friends who live in rural areas are anxious to be part of that partnership.

These are families that live on farms and drink the water out of wells a few

hundred feet away from the crops that are being planted. They want their water safe in the wells around the farms and they do not want the runoff to endanger the drinking water of any other American.

I also want to say that the rural development funds are down in amount, up in flexibility. We are going to find out whether that works; if we give the department more flexibility in rural development, whether it is in water or sewer development, whether that can overcome a cutback in some funding. When it comes time for budget deficit reduction we often have to make that kind of a choice.

This is a good bill. There are parts of it that I disagree with. That is not unusual. There were parts that I disagreed with when I was Chair of this subcommittee. But we have to bring a bill to the floor that is an honest compromise to achieve the purpose of this subcommittee and this appropriation. My colleague from New Mexico has done that. I salute him for it. Though we may disagree from time to time on the floor, our friendship and collegiality are never in jeopardy and it will not be in the course of this debate.

Mr. Chairman, I reserve the balance of my time.

Mr. SKEEN. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I thank my friend, the gentleman from Illinois [Mr. DURBIN], who is leaving this body to go to the never-never land of the endless quorums. I want to say that we certainly have had a great relationship. This is what this is all about. Notwithstanding party differences, that has been a small item.

Mr. Chairman, it has been a delight to work with the gentleman when he was chairman. The gentleman gave me the model of what a chairman should really do and be like, and I appreciate that very much.

It is sweet just to be able to return a favor in kind. I want to wish the gentleman well, up to a point. We are not going to measure that point at all. Mr. Chairman, he is a great gentleman, DICK DURBIN, and it was a great pleasure to serve with him.

Mr. Chairman, I yield 2 minutes to the gentleman from Indiana [Mr. MYERS].

Mr. MYERS of Indiana. Mr. Chairman, I thank the chairman for yielding me this time. I, too, rise in support of this legislation, this appropriation.

Mr. Chairman, as has been said already, I guess the best that can be said is that it is adequate. It is not the appropriation many of us would like to see if we had a free hand in spending the taxpayers' money. Maybe it is a good thing we do not have that free hand.

One area that I think we are making a mistake, and the gentleman from Illinois [Mr. DURBIN] mentioned this, is ag research. Farmers today, this year if they were financially able to carry

their crops and their grain into later this year, made a profit. But they have been able to make a profit because we have been able to research to increase yields with less costly production, and we have been finding more uses for agricultural products through research.

So, Mr. Chairman, this is one area that I think we are making a mistake, and it is not the fault of this subcommittee but it is the fault of the system, that we ought to be making more money available for research because that is what is going to keep the American farmer in production, keep the American farmer on the farm and, most importantly, will keep them competitive in the world.

Much of the world today would like to buy foods. Many of the countries that need it worst do not have the money to buy from the United States. We have the capacity, thank goodness, in this country to produce more than we use.

So if we can continue the research to be competitive in the world, giving farmers the tools that they can produce a crop cheaper and therefore be able to sell it cheaper and still stay in business, this is what we should be doing. This appropriation unfortunately, through no fault of this subcommittee, does not do as good a job in research as we would like to do.

Mr. Chairman, I thank the gentleman from New Mexico [Mr. SKEEN] for the time, and I thank the staff and everyone who has worked so hard for this bill.

Mr. DURBIN. Mr. Chairman, I yield 7 minutes to the gentleman from Wisconsin [Mr. OBEY].

Mr. OBEY. Mr. Chairman, the first thing I would like to do is to say something about the gentleman from Illinois [Mr. DURBIN], who as Members know is serving his last year in this House because he has had the bad judgment to decide he wanted to run for the U.S. Senate.

Mr. Chairman, I think that it is fair to say that if people put together any list of the 10 Members of Congress who they would describe as being the most honest and the most passionate in terms of defending the public interest, the gentleman from Illinois [Mr. DURBIN] would be on it.

There is no question that any time he comes to the floor he knows his subject. He is speaking because of what he believes, and he always does it with grace and with honor, and I think has represented the finest traditions of the history of this House. He is as close to a perfect definition of being a true public servant as any human can possibly be.

We are going to miss him greatly. We are going to miss his talent. We are going to miss his sense of fairness. We are going to miss his sense of judgment and his insistence on always putting the public interest first.

That does not mean I have always agreed with him. I have not. But he has been a tremendous addition to this

committee and this House. He is a worthy and will be a worthy successor to PAUL SIMON. He is in that tradition of clean as well as effective government, and he continues that proud tradition that Senator Paul Douglas established so many years ago. He was Mr. Integrity. Senator Douglas was also a man who understood as much about the way this economy works as almost anybody in the history of this Congress.

I think the people of Illinois and the people of America will be served by Mr. DURBIN's service in the other body, should the people of Illinois be wise enough to elect him to the U.S. Senate, and I am confident they will.

I would also like to take a moment to talk about this bill. It is being brought to the floor by a chairman, the gentleman from New Mexico [Mr. SKEEN], who everyone understands is a legislator's legislator. He always finds a way to try to work out problems in a fair-minded and intelligent way, and he has performed in fine, bipartisan tradition, and I respect that very much. I enjoy the opportunity to serve in the same Congress with the gentleman.

Mr. Chairman, I would like to make just a couple of comments about the bill itself. Coming from a rural district, I regret the fact that the committee could not find a way to provide more support for rural sewer and water. Members have to come from a rural district to understand how important programs like that are.

I have many communities in my district that are 200, 300, 400 people; not exactly the large metropolitan areas of this world. I have many, many communities, the majority of households from those communities are headed either by women or someone who is retired. Communities like that do not have the income base, they do not have the property tax base to meet the environmental cleanup needs that face so many of those communities.

They really need much more help than they are getting from both their State governments and the Federal Government, and I think that we have an obligation to try to find ways to provide more help to them because they are, in essence, when they are faced with environmental cleanup requirements, they are faced with the responsibility to clean up problems that somebody from yesterday left those communities.

I hope that as this bill moves through the process, we will find ways to help those communities more.

Second, I have to say a word about something that is not in this bill. The last farm bill that went through this House, the authorizing bill, contained a provision which allows a few States in the northeast section of the country to set up what I would define as a dairy cartel. Under that proposal, the northeastern States can band together. They can, in effect, establish tariffs on dairy products that are produced outside of the northeast region and sold in that region of the country.

That cartel could also be used to artificially subsidize dairy products that are exported from that region of the country into other regions of the country. I do not believe that that is fair to my farmers. I do not think it is fair to farmers in any other section of the country.

When we add that to the already egregious and incredibly unfair milk marketing order system which will pay farmers from one region of the country \$2 and \$3 per hundred pounds of milk more than they will pay them if they come from my region of the country, I think that that is just another example of how the Federal Government has screwed up national dairy policy.

Mr. Chairman, I would like to offer an amendment which eliminates that provision, but I think, frankly, there is no point in doing that, given the way things have been brought about in this Congress on that provision. But I would certainly hope that the administration itself does not allow that northeast dairy cartel to come into being, and if they proceed to try to do it, I would hope that in the courts it would be declared unconstitutional.

I wish that there were a way to effectively get at that in this bill. I have been thinking about offering an amendment, but I recognize reality, and I think we will have to rely on the administration and the courts to do what needs to be done to provide fairness and justice for farmers in all regions of the country.

With that, Mr. Chairman, I again congratulate the gentleman from Illinois and wish him well in the election, and I thank the gentleman from New Mexico [Mr. SKEEN], chairman of the subcommittee, as well.

Mr. DURBIN. Mr. Chairman, I thank the gentleman for his kind remarks.

Mr. SKEEN. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I say once again that I thank the gentleman from Wisconsin [Mr. OBEY] for the kind words. He can be a meddlesome individual at times; he has been anything but that. It is a pleasure working with him and I admire his style and his tenacity. I just do not admire some of the things that he says. That is a fair given. But the gentleman from Wisconsin is a great gentleman and I appreciate it.

Mr. Chairman, I yield 4 minutes to the gentleman from New York [Mr. WALSH].

(Mr. WALSH asked and was given permission to revise and extend his remarks.)

Mr. WALSH. Mr. Chairman, I rise today in strong support of our bill, H.R. 3603, and its accompanying report that provides funding for agriculture, rural development, Food and Drug Administration and related agencies.

□ 1630

I commend the distinguished chairman, the gentleman from New Mexico [Mr. SKEEN], and the ranking member, the gentleman from Illinois [Mr. DUR-

BIN]. I tell both of them that I enjoyed very much working with them and the cooperation that they have shown me throughout this process and to all of us.

I would also like to thank the subcommittee staff for the great work that they did.

In this bill we have had to make very difficult choices. The subcommittee had to reduce discretionary spending by over \$500 million, causing painful reductions in rural housing and development programs. Nevertheless, we have continued to provide sufficient funding for critical agricultural research. In fact, we increased it by \$47 million, and the total amount for ag research is \$1.5 billion.

Spending on agriculture research enables the American farmer to deliver an abundant and affordable food supply to a largely urban population and to a hungry world and provides for a large portion of the American trade surplus.

I am also glad to report that this bill provides critical funding for conservation programs. Conserving, improving, and sustaining our natural resources and environment has to be one of our Nation's top priorities. Agriculture today is facing greater challenges than ever before in meeting public demands for environmental protection. Agriculture has been identified as a major contributor to nonpoint source water pollution. In fact, water quality is the most rapidly emerging issue impacting on agriculture today.

This appropriations bill provides the Soil Conservation Service with the necessary resources to provide planning and technical assistance for watershed projects and to help farmers implement conservation compliance plans on highly erodible lands. With many of our Nation's rivers and lakes being threatened by agricultural related nonpoint source pollution, we need to utilize best management practices to conserve our soil and water resources. These practices would include soil erosion control, animal waste management, plant nutrient management, the building of manure lagoons and pesticide and chemical management. The benefits from this conservation planning will result in reduced erosion and sedimentation, cleaner water, reduction of health hazards, improved fish and wildlife habitat, and protection of wetlands and flood prevention.

In this bill we are also able to expand the wetlands reserve by providing an additional 130,000 acres of wetlands. Last year the committee was not able to provide any funding for this program. While I would have liked to have seen more lands set aside for wetlands protection, this committee has added eight new States to the Wetlands Reserve Program and enrolled 130,000 additional acres so that we can better preserve and protect our precious wetlands.

This bill was a real challenge in terms of our priorities, but we strongly funded our nutrition programs. We in-

creased funding for the School Lunch Program, the School Breakfast Program, the Child and Adult Program, Food Program, the Food Stamp Program, the Emergency Food Assistance Program; all of these programs were increased in funding.

There was a lot of political hay made last year about cut, cut, cut, cut, cut, but a lot of untruths were being told at the time. All of the nutrition programs in fact are increasing. WIC was held constant, however. There was a large surplus carried over from last year that will help to fund the program. We are committed to the nutrition of this Nation and to providing everyone who is in difficulty with the proper nutrition that we can and should provide.

Mr. Chairman, I strongly, again, appreciate your hard work on this and the ranking member and urge its adoption.

Mr. DURBIN. Mr. Chairman, I yield 2 minutes to the gentlewoman from Florida [Mrs. THURMAN].

Mrs. THURMAN. Mr. Chairman, I should say that I echo all of those wonderful remarks that have been made both for the gentleman from New Mexico [Mr. SKEEN], and for the gentleman from Illinois [Mr. DURBIN]. So I will not take my 2 minutes, but you know that they are well meant.

What I do want to bring up though is that the issue of research and research has become a very important part of the agriculture industry, not only for things to provide a safer and better food product for our country and our citizens but also to help control some diseases that can potentially have some very adverse effects on very important products that are grown within our States.

In this particular issue, the State of Florida, with oranges, last fall the USDA had identified a brown citrus aphid infestation in some parts of Florida. This actually is something that transmits CTV which can pose a very formidable threat to our industry. It actually has not only and will not only hit Florida, but it also has an opportunity to go into Arizona, California, and Texas. Most of this is commercial but some of this is backyards.

What we are asking is that we look at some of these areas in the eradication of the brown citrus aphid. I think there is some money in this bill for some in California, but there is maybe not too much in Florida. So I am just raising the issue on the floor so that, as we go into conference, we might be able to look at where there has been some identifiable issues and that we might look at this as we go into conference and hopefully help Florida with their actual \$8 billion, \$9 billion industry and the economy to the State of Florida.

Mr. DURBIN. Mr. Chairman, I yield 1 minute to the gentlewoman from North Carolina [Mrs. CLAYTON].

Mrs. CLAYTON. Mr. Chairman, if I may, may I compliment both sides. I do want to compliment the fairness as

well as the tireless service that the ranking member has provided and the fairness that the chairman has provided.

I do want to raise the issue about rural development because I spoke on this floor before about rural development and on both sides we acknowledged there was a need.

As I remember, when it went to conference, we had to work it out with the Senate in order to get \$400 million. Again, you can say that is flexibility. But apparently we in the House somehow will not rise to the occasion to provide more money. We have to depend on the Senate to do that. I would hope that since it is not in the bill as much as it should be, we will do it.

One other area I am very much concerned is the lack of the appropriation at the level for minority farmers. Again, that is an area of concern. Five years ago there was considerably more commitment. Over the years we never have met that commitment. I would hope that we would find the opportunity to provide for those resources.

Mr. SKEEN. Mr. Chairman, I yield 4 minutes to the gentleman from Delaware [Mr. CASTLE].

Mr. CASTLE. Mr. Chairman, I thank the gentleman for yielding time to me.

Mr. Chairman, I would like to enter into a colloquy with the gentleman from New Mexico, chairman of the Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies.

After reviewing the report of the Agriculture, Rural Development, FDA, and Related Agencies appropriations bill, I am very concerned about the funding level of the 502 Rural Housing Direct Loan Program. The committee bill provides \$83 million for the 502 Direct Program. This is a reduction of \$67.8 million from the 1996 level. As the Chairman knows, the 502 Direct Program provides funds for home mortgage loans for low-income residents of rural areas who do not have adequate access to private mortgage programs or other Government housing programs.

However, to offset this reduction, the committee report states that it intends that the \$100 million made available under the Freedom to Farm Act be used for rural, housing, development and research programs beginning January 1, 1997.

Last year, the gentleman from New Mexico worked with me and other supporters of rural housing to improve the final 1996 funding level for the 502 Program. I would like the gentleman's assurance that he will continue to work with me to ensure adequate funds are made available from the fund for rural America for the 502 Home Loan Program. And, if possible, to provide additional direct funding for the 502 Program during conference with the Senate on this legislation.

Mr. Chairman, I yield to the gentleman from New Mexico [Mr. SKEEN] for his response.

Mr. SKEEN. Mr. Chairman, I thank the gentleman from Delaware who has

been one of the strongest and most consistent supporters of rural development programs. As a former Governor, he is particularly knowledgeable about their benefits.

I know that these programs are not funded at the level that the gentleman would like to see or for that matter that I and other colleagues would like to see. But the appropriations process is about hard choices and that is what we have done here in order to meet our goal of balancing the budget and funding critical programs.

I would like to point out to the gentleman that the fund for rural America will make available \$100 million on January 1, 1997 and \$200 million more in the 2 succeeding years. This money is over and above what is in the bill now. We have instructed the Secretary to use this fund as a primary backup for critical housing, water and sewer programs. I will be happy to work with the gentleman to follow up on this also.

We have provided for the transfer of excess WIC money, as we did last year, at the Secretary's discretion. Finally, I want to assure the gentleman that rural housing and our other rural development programs are among our highest priorities. If there is a possibility to find additional funding in the conference with the Senate, we will certainly give it a try.

Mr. CASTLE. Mr. Chairman, I thank the gentleman.

Mrs. CLAYTON. Mr. Chairman, will the gentleman yield?

Mr. CASTLE. I yield to the gentleman from North Carolina.

Mrs. CLAYTON. Mr. Chairman, I also want to join in support of the gentleman from Delaware [Mr. CASTLE] who we joined in an amendment last time on the 502 housing. In that rural America has more than just housing, it gives to the administration flexibility for housing, rural development as well as for minority farmers.

Could the gentleman affirm what the level for minority farmers and small farmers in the rural fund may be?

Mr. SKEEN. Mr. Chairman, if the gentleman will continue to yield, fund for rural America is whatever the Secretary chooses. He has that discretion within the budget to do it and the fund for rural America.

Mrs. CLAYTON. Mr. Chairman, how about the disadvantaged farmers?

Mr. SKEEN. One million in our bill.

Mrs. CLAYTON. Separate in your bill?

Mr. SKEEN. In our bill.

Mrs. CLAYTON. But they have flexibility in rural America as well?

Mr. SKEEN. Yes.

Mrs. CLAYTON. You remember there was a discussion about at least moving it up to 2 million. There was not any acceptance of that at all?

Mr. SKEEN. Well, we just could not push it through the screen that way because we had very severe shortages in funding so we had to leave it at the level we had it. I am sorry that we could not raise it to \$2 million.

Mr. DURBIN. Mr. Chairman, I yield 4 minutes to the gentlewoman from Hawaii [Mrs. MINK].

Mrs. MINK of Hawaii. Mr. Chairman, I regret I have to break the harmony of the comments on the floor, as the Chair has noted, but I must rise in great distress over a provision that has been included in this appropriation bill. That has to do with the sugar program.

In the bill that we have today, there is a section that places a cap on the raw sugarcane prices that the growers may expect to receive. I find that decision of the committee to lay on the sugar program a limit, a cap as to what the growers can expect to receive as an unconscionable interference with the market.

We have heard on the floor so many times Members belaboring the fact that we have to support open commerce, free enterprise, free trade and allow market conditions to determine the fate of our commerce, especially in the agricultural area. Yet we have before us today an amendment to the appropriations bill which is legislation on an appropriations bill, by the way, which sets a cap at 21 cents.

I have sent letters to members of the Committee on Appropriations indicating that if this cap were permitted to remain in the legislation, and I hope it does not when it goes to conference, I hope it is removed, I hope the Senate does not do the same thing, because the effect in my district will be to actually eliminate the potential for our industry because we cannot produce it at 21 cents.

Sugar, the cost of production of sugar in my district ranges around 22 cents, 23 cents. I have been informed by the cane growers on the island of Kauai that if this bill becomes law and the cap remains on the price of cane sugar, that they will be driven out of business. That is thousands of jobs in my area.

I do not believe that that is the intent of this body. We had an effort here to kill the entire sugar program not too long ago. We were able to defeat that amendment.

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So this House has spoken already, that such an effort is contrary to the best interests of this country. Yet we have this amendment which has been placed in this bill, and I am going to be forced to vote against the bill because I cannot vote against a major portion of the industry of my State.

The Department of Agriculture advises us that they will not know how to even implement this type of restriction. As far as these experts in the Department can determine, the only way that they can regulate and assure the enforceability of a 21-cent cap is to increase the imports.

So the Department says that they are unclear as to what the mechanisms for enforcing it are. They do not really know what the refiners are paying. In



some States, I understand there is a kickback or a discount on the price, and so their only ability to regulate a 21-cent price cap for the growers is through an influx of more imports in the sugar area, and that, of course, will be extremely destructive for the rest of the sugar industry in Florida, in the beet sugar areas.

So I submit that this idea comes from those who wish to destroy the industry, and they have had their chance here. They brought their amendment to destroy by eliminating the program, and they were defeated, and so this effort is simply another backdoor way of making sure that our domestic industry goes down.

So I plead with the Members of this House to remember the debate with respect to the repeal of the sugar program and vote against the passage of this bill.

Mr. BEREUTER. Mr. Chairman, this Member rises in support of H.R. 3603, the Agriculture appropriations bill for fiscal year 1997.

Mr. Chairman, this Member certainly recognizes the severe budget constraints under which the full Appropriations Committee and the Agriculture Appropriations Subcommittee operated. This Member is especially pleased that the earlier funding problems were resolved so that there will be full funding for the protection flexibility contracts authorized in the farm legislation enacted earlier this year. Clearly, this is good news for our Nation's farmers.

This Member is also grateful and pleased that this legislation includes funding for several important projects of interest to the State of Nebraska.

First, this Member is pleased that H.R. 3603 includes \$15.7 million for hazardous waste management and that the report includes language regarding the need to conduct a private water well quality assessment related to the health risks of communities in Nebraska and other States due to the use of fumigants in Commodity Credit Corporation grain storage sites.

This Member would like to take this opportunity to draw attention to a potentially serious problem facing a large number of communities throughout Nebraska and Kansas, and undoubtedly elsewhere too—and including this Member's hometown of Utica, NE. These problems resulted from the use of fumigants containing carbon tetrachloride by the USDA through stored Commodity Credit Corporation grain in Nebraska and other States, primarily from the 1940's through the early 1970's. Carbon tetrachloride contamination of the groundwater at many of these sites is a serious problem. Approximately 290 communities in Nebraska and 268 in Kansas has USDA grain bin storage sites and potentially remain at risk because the problem has not been fully investigated and addressed in many of these communities. As previously mentioned, this Member's hometown of Utica, NE, is one of the sites which is contending with contamination of its water supply as a result of a carbon tetrachloride, a carcinogen, from a grain storage facility. In addition to the contamination of public water supplies, numerous private wells are also affected. Private wells known to be contaminated have had treatment installed or have been removed from service, but far too little has been done to help identify such wells.

This Member has been actively involved in seeking solutions to this problem for a number of years. In fact, this Member worked with then-Secretary of Agriculture Clayton Yeutter to develop a hazardous waste management and response program within USDA. Sufficient Federal funding of this program is necessary to address this hazardous situation and to ensure the safety of drinking supplies of people living near, and downgradient from, old CCC grain storage sites. Although the carbon tetrachloride problems have begun to be addressed at many of these sites, the progress has been slow and somewhat random. An overall strategy needs to be developed.

To ensure that a timely and comprehensive approach is taken, this Member joins with the State of Nebraska in recommending an accelerated response in a three-phased strategy:

One, an immediate private water well quality assessment for those communities which have not yet had a complete assessment and providing emergency bottled water supplies as needed.

Two, environmental site characterization to determine sources and the extent of soil and groundwater contamination.

Three, remedial cleanup of contaminated sites and long-term groundwater monitoring.

This Member is also pleased that the bill provides \$423,000 for the Midwest Advanced Food Manufacturing Alliance. The alliance is an association of 12 leading research universities and corporate partners. Its purpose is to develop and facilitate the transfer of new food manufacturing and processing technologies.

The alliance awards grants for research projects on a peer review basis. These awards must be supported by an industry partner willing to provide matching funds. During its second year of competition, the alliance received 33 proposals requesting a total of \$1,165,033, but it was limited to funding 10 proposals for a total of \$350,000. Matching funds from industry totaled \$1,268,937, with an additional \$370,311 from in-kind funds. These figures convincingly demonstrate how successful the alliance has been in leveraging support from industry.

Mr. Chairman, the future viability and competitiveness of the U.S. agricultural industry depends on its ability to adapt to increasing worldwide demands for U.S. exports of intermediate and consumer good exports. In order to meet these changing worldwide demands, agricultural research must also adapt to provide more emphasis on adding value to our basic farm commodities. The Midwest Advanced Food Manufacturing Alliance can provide the necessary cooperative link between universities and industries for the development of competitive food manufacturing and processing technologies. This will, in turn, ensure that the U.S. agricultural industry remains competitive in an increasingly competitive global economy.

This Member is also pleased that this bill includes \$200,000 to fund a drought mitigation project at the agricultural meteorology department at the University of Nebraska-Lincoln. This level of funding will greatly assist in the further development of a national drought mitigation center. Such a center is important to Nebraska and all arid and semi-arid States. Although drought is one of the most complex and least understood of all natural disasters, no centralized source of information currently exists on drought assessment, mitigation, re-

sponse, and planning efforts. A national drought mitigation center would develop a comprehensive program designed to reduce vulnerability to drought by promoting the development and implementation of appropriate mitigation technologies.

Another important project funded by this bill is the Alliance for Food Protection, a joint project between the University of Nebraska and the University of Georgia. The mission of this alliance is to assist the development and modification of food processing and preservation technologies. This technology will help ensure that Americans continue to receive the safest and highest quality food possible.

The report also includes important language directing the Agricultural Research Service to continue to fund the perennial grass germ plasm project at the University of Nebraska-Lincoln. Unfortunately, the administration's budget deleted funding for the warm grass genetics and breeding project at the Lincoln ARS unit. However, the \$270,000 called for in the report will ensure the continuation of this productive research project which has a tremendous record of accomplishment.

Also, this Member is pleased that H.R. 3603 includes \$1.2 million for the new section 538, the rural rental multifamily housing loan guarantee program. The program provides a Federal guarantee on loans made to eligible persons by private lenders. Developers will bring 10 percent of the cost of the project to the table, and private lenders will make loans for the balance. The lenders will be given a 100-percent Federal guarantee on the loans they make. Unlike the current section 515 Direct Loan Program, where the full costs are borne by the Federal Government, the only costs to the Federal government under the 538 Guarantee Program will be for administrative costs and potential defaults.

Mr. Chairman, finally this member also appreciates the subcommittee's support for the very successful Department of Agriculture's 502 Unsubsidized Loan Guarantee Program. The program has been very effective in rural communities by guaranteeing loans made by approved lenders to eligible income households in small communities of up to 25,000 residents in nonmetropolitan areas and in rural areas. The program provides guarantees for 30-years fixed-rate mortgages for the purchase of an existing home or the construction of a new home. The loan amount may be up to 100 percent of a home's market value, with a maximum mortgage amount of \$67,500.

Mr. Chairman, in conclusion, this member supports H.R. 3603 and urges his colleagues to approve it.

Mr. BAKER of California. Mr. Chairman, statistics can be boring, eye-glazing, and mind-numbing. Yet they can also be illuminating, disturbing, and striking. When it comes to statistics concerning breast cancer, the latter category is clearly in play.

Breast cancer is the second leading cause of cancer deaths among women. In 1996 approximately 184,300 women will be diagnosed with invasive breast cancer; 44,300 women are expected to die of this disease by the end of the year. This is troubling news, and forces us to consider how best to combat this destructive illness.

At present, breast cancer cannot be prevented. However, there are steps women can take in order to detect breast cancer in its earliest stages. The easiest, most common technique is a breast self-exam [BSE], which can

make the difference between life and death. I have supported legislation to encourage breast cancer screening through making exams easily available to poor women through Medicaid, and by giving employers a tax break for costs incurred in making breast exams available to their employees.

Noninvasive breast self-exams are essential to the thousands of women seeking to combat this deadly cancer. Currently, the only technique readily available for women to perform this procedure at home is soap and water. Yet American ingenuity has once again risen to the occasion and created a new device to aid women with BSE's.

This device is called the sensor pad. It consists of two plastic sheets coated with lubricant. That's it: no involved machinery, no elaborate high-technology gadgetry, no invasion of the body. It is a method of detecting lumps that heightens sensitivity to a greater degree than soap and water.

Although the sensor pad is a promising, helpful device for women, the FDA has chosen not to make it available to all women and has approved it under a prescription-only status. This means that instead of costing a woman \$21.15 for a sensor pad, it will cost her an estimated \$70. This is outrageous.

I am an original cosponsor of H.R. 3504, the Breast Cancer Detection Act which urges the FDA to reverse its prescription only status to this pad and other breast cancer detection devices and allow the manufacturer to produce them for all women, not just women who can afford to see their doctors.

It is vital to the health of all American women to routinely perform breast self-exams. I believe that by giving all women a choice of methods, less women will die of breast cancer because they will perform BSE's and detect breast cancer in its early stages.

Clearly, inclusion of the provisions of H.R. 3504 in the fiscal year 1997 Agriculture, Rural Development, and Food and Drug Administration Appropriations Act—H.R. 3603—will provide American women with more tools to determine whether or not they have breast cancer. I am pleased that H.R. 3504 is part of H.R. 3603, and look forward to its passage into law.

Mr. SKEEN. Mr. Chairman, I yield back the balance of my time.

Mr. DURBIN. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

During consideration of the bill for amendment, the Chair may accord priority in recognition to a Member offering an amendment that he has printed in the designated place in the CONGRESSIONAL RECORD. Those amendments will be considered read.

The Chairman of the Committee of the Whole may postpone until a time during further consideration in the Committee of the Whole a request for a recorded vote on any amendment and may reduce to not less than 5 minutes the time for voting by electronic device on any postponed question that immediately follows another vote by electronic device without intervening business, provided that the time for

voting by electronic device on the first in any series of questions shall not be less than 15 minutes.

After the reading of the final lines of the bill, a motion that the Committee of the Whole rise and report the bill to the House with such amendments as may have been adopted shall, if offered by the majority leader or a designee, have precedence over a motion to amend.

The Clerk will read.

The Clerk read as follows:

H.R. 3603

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 1997, and for other purposes, namely:

#### TITLE I

##### AGRICULTURAL PROGRAMS

##### PRODUCTION, PROCESSING, AND MARKETING

##### OFFICE OF THE SECRETARY

##### (INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Office of the Secretary of Agriculture, and not to exceed \$75,000 for employment under 5 U.S.C. 3109, \$2,836,000: *Provided*, That not to exceed \$11,000 of this amount, along with any unobligated balances of representation funds in the Foreign Agricultural Service shall be available for official reception and representation expenses, not otherwise provided for, as determined by the Secretary: *Provided further*, That none of the funds appropriated or otherwise made available by this Act may be used to detail an individual from an agency funded in this Act to any Under Secretary office or Assistant Secretary office for more than 30 days: *Provided further*, That none of the funds made available by this Act may be used to enforce section 793(d) of Public Law 104-127.

##### EXECUTIVE OPERATIONS

##### CHIEF ECONOMIST

For necessary expenses of the Chief Economist, including economic analysis, risk assessment, cost-benefit analysis, and the functions of the World Agricultural Outlook Board, as authorized by the Agricultural Marketing Act of 1946 (7 U.S.C. 1622g), and including employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), of which not to exceed \$5,000 is for employment under 5 U.S.C. 3109, \$4,231,000.

##### NATIONAL APPEALS DIVISION

For necessary expenses of the National Appeals Division, including employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), of which not to exceed \$25,000 is for employment under 5 U.S.C. 3109, \$11,718,000.

##### OFFICE OF BUDGET AND PROGRAM ANALYSIS

For necessary expenses of the Office of Budget and Program Analysis, including employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), of which not to exceed \$5,000 is for employment under 5 U.S.C. 3109, \$5,986,000.

##### CHIEF FINANCIAL OFFICER

For necessary expenses of the Office of the Chief Financial Officer, including employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), of which not to exceed \$10,000 is for employment under 5 U.S.C. 3109, \$4,283,000: *Pro-*

*vided*, That the Chief Financial Officer shall actively market cross-servicing activities of the National Finance Center.

##### OFFICE OF THE ASSISTANT SECRETARY FOR ADMINISTRATION

For necessary salaries and expenses of the Office of the Assistant Secretary for Administration to carry out the programs funded in this Act, \$613,000.

##### AGRICULTURE BUILDINGS AND FACILITIES AND RENTAL PAYMENTS

##### (INCLUDING TRANSFERS OF FUNDS)

For payment of space rental and related costs pursuant to Public Law 92-313, including authorities pursuant to the 1984 delegation of authority from the Administrator of General Services to the Department of Agriculture under 40 U.S.C. 486, for programs and activities of the Department which are included in this Act, and for the operation, maintenance, and repair of Agriculture buildings, \$120,548,000: *Provided*, That in the event an agency within the Department should require modification of space needs, the Secretary of Agriculture may transfer a share of that agency's appropriation made available by this Act to this appropriation, or may transfer a share of this appropriation to that agency's appropriation, but such transfers shall not exceed 5 percent of the funds made available for space rental and related costs to or from this account. In addition, for construction, repair, improvement, extension, alteration, and purchase of fixed equipment or facilities as necessary to carry out the programs of the Department, where not otherwise provided, \$5,000,000, to remain available until expended; making a total appropriation of \$125,548,000.

##### HAZARDOUS WASTE MANAGEMENT

##### (INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Department of Agriculture, to comply with the requirement of section 107(g) of the Comprehensive Environmental Response, Compensation, and Liability Act, as amended, 42 U.S.C. 9607(g), and section 6001 of the Resource Conservation and Recovery Act, as amended, 42 U.S.C. 6961, \$15,700,000, to remain available until expended: *Provided*, That appropriations and funds available herein to the Department for Hazardous Waste Management may be transferred to any agency of the Department for its use in meeting all requirements pursuant to the above Acts on Federal and non-Federal lands.

##### DEPARTMENTAL ADMINISTRATION

##### (INCLUDING TRANSFERS OF FUNDS)

For Departmental Administration, \$28,304,000, to provide for necessary expenses for management support services to offices of the Department and for general administration and disaster management of the Department, repairs and alterations, and other miscellaneous supplies and expenses not otherwise provided for and necessary for the practical and efficient work of the Department, including employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), of which not to exceed \$10,000 is for employment under 5 U.S.C. 3109: *Provided*, That this appropriation shall be reimbursed from applicable appropriations in this Act for travel expenses incident to the holding of hearings as required by 5 U.S.C. 551-558.

##### OFFICE OF THE ASSISTANT SECRETARY FOR CONGRESSIONAL RELATIONS

##### (INCLUDING TRANSFERS OF FUNDS)

For necessary salaries and expenses of the Office of the Assistant Secretary for Congressional Relations to carry out the programs funded in this Act, including programs involving intergovernmental affairs

and liaison within the executive branch, \$3,728,000: *Provided*, That no other funds appropriated to the Department in this Act shall be available to the Department for support of activities of congressional relations: *Provided further*, That not less than \$2,241,000 shall be transferred to agencies funded in this Act to maintain personnel at the agency level.

#### OFFICE OF COMMUNICATIONS

For necessary expenses to carry on services relating to the coordination of programs involving public affairs, for the dissemination of agricultural information, and the coordination of information, work, and programs authorized by Congress in the Department, \$8,138,000, including employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), of which not to exceed \$10,000 shall be available for employment under 5 U.S.C. 3109, and not to exceed \$2,000,000 may be used for farmers' bulletins.

#### OFFICE OF THE INSPECTOR GENERAL (INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Office of the Inspector General, including employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and the Inspector General Act of 1978, as amended, \$63,028,000, including such sums as may be necessary for contracting and other arrangements with public agencies and private persons pursuant to section 6(a)(9) of the Inspector General Act of 1978, as amended, including a sum not to exceed \$50,000 for employment under 5 U.S.C. 3109; and including a sum not to exceed \$95,000 for certain confidential operational expenses including the payment of informants, to be expended under the direction of the Inspector General pursuant to Public Law 95-452 and section 1337 of Public Law 97-98: *Provided*, That funds transferred to the Office of the Inspector General through forfeiture proceedings or from the Department of Justice Assets Forfeiture Fund or the Department of the Treasury Forfeiture Fund, as a participating agency, as an equitable share from the forfeiture of property in investigations in which the Office of the Inspector General participates, or through the granting of a Petition for Remission or Mitigation, shall be deposited to the credit of this account for law enforcement activities authorized under the Inspector General Act of 1978, as amended, to remain available until expended.

#### OFFICE OF THE GENERAL COUNSEL

For necessary expenses of the Office of the General Counsel, \$27,749,000.

#### OFFICE OF THE UNDER SECRETARY FOR RESEARCH, EDUCATION AND ECONOMICS

For necessary salaries and expenses of the Office of the Under Secretary for Research, Education and Economics to administer the laws enacted by the Congress for the Economic Research Service, the National Agricultural Statistics Service, the Agricultural Research Service, and the Cooperative State Research, Education, and Extension Service, \$540,000.

#### ECONOMIC RESEARCH SERVICE

For necessary expenses of the Economic Research Service in conducting economic research and analysis, as authorized by the Agricultural Marketing Act of 1946 (7 U.S.C. 1621-1627) and other laws, \$54,176,000: *Provided*, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225).

#### NATIONAL AGRICULTURAL STATISTICS SERVICE

For necessary expenses of the National Agricultural Statistics Service in conducting

statistical reporting and service work, including crop and livestock estimates, statistical coordination and improvements, marketing surveys, and the Census of Agriculture notwithstanding 13 U.S.C. 142(a-b), as authorized by the Agricultural Marketing Act of 1946 (7 U.S.C. 1621-1627) and other laws, \$100,221,000, of which up to \$17,500,000 shall be available until expended for the Census of Agriculture: *Provided*, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed \$40,000 shall be available for employment under 5 U.S.C. 3109.

#### AGRICULTURAL RESEARCH SERVICE

For necessary expenses to enable the Agricultural Research Service to perform agricultural research and demonstration relating to production, utilization, marketing, and distribution (not otherwise provided for); home economics or nutrition and consumer use including the acquisition, preservation, and dissemination of agricultural information; and for acquisition of lands by donation, exchange, or purchase at a nominal cost not to exceed \$100,702,831,000: *Provided*, That appropriations hereunder shall be available for temporary employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed \$115,000 shall be available for employment under 5 U.S.C. 3109: *Provided further*, That appropriations hereunder shall be available for the operation and maintenance of aircraft and the purchase of not to exceed one for replacement only: *Provided further*, That appropriations hereunder shall be available pursuant to 7 U.S.C. 2250 for the construction, alteration, and repair of buildings and improvements, but unless otherwise provided the cost of constructing any one building shall not exceed \$250,000, except for greenhouses or greenhouses which shall each be limited to \$1,000,000, and except for ten buildings to be constructed or improved at a cost not to exceed \$500,000 each, and the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building or \$250,000, whichever is greater: *Provided further*, That the limitations on alterations contained in this Act shall not apply to modernization or replacement of existing facilities at Beltsville, Maryland: *Provided further*, That the foregoing limitations shall not apply to replacement of buildings needed to carry out the Act of April 24, 1948 (21 U.S.C. 113a): *Provided further*, That funds may be received from any State, other political subdivision, organization, or individual for the purpose of establishing or operating any research facility or research project of the Agricultural Research Service, as authorized by law.

None of the funds in the foregoing paragraph shall be available to carry out research related to the production, processing or marketing of tobacco or tobacco products.

#### BUILDINGS AND FACILITIES

For acquisition of land, construction, repair, improvement, extension, alteration, and purchase of fixed equipment or facilities as necessary to carry out the agricultural research programs of the Department of Agriculture, where not otherwise provided, \$59,600,000, to remain available until expended (7 U.S.C. 2209b): *Provided*, That funds may be received from any State, other political subdivision, organization, or individual for the purpose of establishing any research facility of the Agricultural Research Service, as authorized by law.

#### COOPERATIVE STATE RESEARCH, EDUCATION, AND EXTENSION SERVICE

#### RESEARCH AND EDUCATION ACTIVITIES

For payments to agricultural experiment stations, for cooperative forestry and other

research, for facilities, and for other expenses, including \$163,671,000 to carry into effect the provisions of the Hatch Act (7 U.S.C. 361a-361i); \$19,882,000 for grants for cooperative forestry research (16 U.S.C. 582a-582-a7); \$26,902,000 for payments to the 1890 land-grant colleges, including Tuskegee University (7 U.S.C. 3222); \$44,235,000 for special grants for agricultural research (7 U.S.C. 450i(c)); \$11,769,000 for special grants for agricultural research on improved pest control (7 U.S.C. 450i(c)); \$96,735,000 for competitive research grants (7 U.S.C. 450i(b)); \$4,775,000 for the support of animal health and disease programs (7 U.S.C. 3195); \$650,000 for supplemental and alternative crops and products (7 U.S.C. 3319d); \$500,000 for grants for research pursuant to the Critical Agricultural Materials Act of 1984 (7 U.S.C. 178) and section 1472 of the Food and Agriculture Act of 1977, as amended (7 U.S.C. 3318), to remain available until expended; \$475,000 for rangeland research grants (7 U.S.C. 3331-3336); \$3,000,000 for higher education graduate fellowships grants (7 U.S.C. 3152(b)(6)), to remain available until expended (7 U.S.C. 2209b); \$4,000,000 for higher education challenge grants (7 U.S.C. 3152(b)(1)); \$1,000,000 for a higher education minority scholars program (7 U.S.C. 3152(b)(5)), to remain available until expended (7 U.S.C. 2209b); \$2,000,000 for an education grants program for Hispanic-serving Institutions (7 U.S.C. 3241); \$4,000,000 for aquaculture grants (7 U.S.C. 3322); \$8,000,000 for sustainable agriculture research and education (7 U.S.C. 5811); \$9,200,000 for a program of capacity building grants to colleges eligible to receive funds under the Act of August 30, 1890 (7 U.S.C. 321-326 and 328), including Tuskegee University 7 U.S.C. 3152(b)(4), to remain available until expended (7 U.S.C. 2209b); \$1,450,000 for payments to the 1994 Institutions pursuant to section 534(a)(1) of Public Law 103-382; and \$9,605,000 for necessary expenses of Research and Education Activities, of which not to exceed \$100,000 shall be for employment under 5 U.S.C. 3109; in all, \$411,849,000.

None of the funds in the foregoing paragraph shall be available to carry out research related to the production, processing or marketing of tobacco or tobacco products.

#### NATIVE AMERICAN INSTITUTIONS ENDOWMENT FUND

For establishment of a Native American institutions endowment fund, as authorized by Public Law 130-382 (7 U.S.C. 301 note), \$4,600,000.

#### BUILDINGS AND FACILITIES

For acquisition of land, construction, repair, improvement, extension, alteration, and purchase of fixed equipment or facilities and for grants to States and other eligible recipients for such purposes, as necessary to carry out the agricultural research, extension, and teaching programs of the Department of Agriculture, where not otherwise provided, \$30,449,000, to remain available until expended (7 U.S.C. 2209b).

#### EXTENSION ACTIVITIES

Payments to States, the District of Columbia, Puerto Rico, Guam, the Virgin Islands, Micronesia, Northern Marianas, and American Samoa: For payments for cooperative extension work under the Smith-Lever Act, as amended, to be distributed under sections 3(b) and 3(c) of said Act, and under section 208(c) of Public Law 93-471, for retirement and employees' compensation costs for extension agents and for costs of penalty mail for cooperative extension agents and State extension directors, \$260,438,000; payments for the nutrition and family education program for low-income areas under section 3(d) of the Act, \$58,695,000; payments for the pest management program under section 3(d) of

the Act, \$10,783,000; payments for the farm safety program under section 3(d) of the Act, \$2,855,000; payments for the pesticide impact assessment program under section 3(d) of the Act, \$3,214,000; payments to upgrade 1890 land-grant college research, extension, and teaching facilities as authorized by section 1447 of Public Law 95-113, as amended (7 U.S.C. 3222b), \$7,549,000, to remain available until expended; payments for the rural development centers under section 3(d) of the Act, \$908,000; payments for a groundwater quality program under section 3(d) of the Act, \$10,733,000; payments for the agricultural telecommunications program, as authorized by Public Law 101-624 (7 U.S.C. 5926), \$1,167,000; payments for youth-at-risk programs under section 3(d) of the Act, \$9,554,000; payments for a food safety program under section 3(d) of the Act, \$2,365,000; payments for carrying out the provisions of the Renewable Resources Extension Act of 1978, \$3,192,000; payments for Indian reservation agents under section 3(d) of the Act, \$1,672,000; payments for sustainable agriculture programs under section 3(d) of the Act, \$3,309,000; payments for rural health and safety education as authorized by section 2390 of Public Law 101-624 (7 U.S.C. 2661 note, 2662), \$2,628,000; payments for cooperative extension work by the colleges receiving the benefits of the second Morrill Act (7 U.S.C. 321-326, 328) and Tuskegee University, \$24,337,000; and for Federal administration and coordination including administration of the Smith-Lever Act, as amended, and the Act of September 29, 1977 (7 U.S.C. 341-349), as amended, and section 1361(c) of the Act of October 3, 1980 (7 U.S.C. 301 note), and to coordinate and provide program leadership for the extension work of the Department and the several States and insular possessions, \$6,271,000; in all, \$409,670,000: *Provided*, That funds hereby appropriated pursuant to section 3(c) of the Act of June 26, 1953, and section 506 of the Act of June 23, 1972, as amended, shall not be paid to any State, the District of Columbia, Puerto Rico, Guam, or the Virgin Islands, Micronesia, Northern Marianas, and American Samoa prior to availability of an equal sum from non-Federal sources for expenditure during the current fiscal year.

OFFICE OF THE ASSISTANT SECRETARY FOR  
MARKETING AND REGULATORY PROGRAMS

For necessary salaries and expenses of the Office of the Assistant Secretary for Marketing and Regulatory Programs to administer programs under the laws enacted by the Congress for the Animal and Plant Health Inspection Service, Agricultural Marketing Service, and the Grain Inspection, Packers and Stockyards Administration, \$618,000.

ANIMAL AND PLANT HEALTH INSPECTION  
SERVICE

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For expenses, not otherwise provided for, including those pursuant to the Act of February 28, 1947, as amended (21 U.S.C. 114b-c), necessary to prevent, control, and eradicate pests and plant and animal diseases; to carry out inspection, quarantine, and regulatory activities; to discharge the authorities of the Secretary of Agriculture under the Act of March 2, 1931 (46 Stat. 1468; 7 U.S.C. 426-426b); and to protect the environment, as authorized by law, \$435,428,000, of which \$4,500,000 shall be available for the control of outbreaks of insects, plant diseases, animal diseases and for control of pest animals and birds to the extent necessary to meet emergency conditions: *Provided*, That no funds shall be used to formulate or administer a brucellosis eradication program for the current fiscal year that does not require mini-

mum matching by the States of at least 40 percent: *Provided further*, That this appropriation shall be available for field employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed \$40,000 shall be available for employment under 5 U.S.C. 3109: *Provided further*, That this appropriation shall be available for the operation and maintenance of aircraft and the purchase of not to exceed four, of which two shall be for replacement only: *Provided further*, That, in addition, in emergencies which threaten any segment of the agricultural production industry of this country, the Secretary may transfer from other appropriations or funds available to the agencies or corporations of the Department such sums as he may deem necessary, to be available only in such emergencies for the arrest and eradication of contagious or infectious disease or pests of animals, poultry, or plants, and for expenses in accordance with the Act of February 28, 1947, as amended, and section 102 of the Act of September 21, 1944, as amended, and any unexpended balances of funds transferred for such emergency purposes in the next preceding fiscal year shall be merged with such transferred amounts: *Provided further*, That appropriations hereunder shall be available pursuant to law (7 U.S.C. 2250) for the repair and alteration of leased buildings and improvements, but unless otherwise provided the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building.

In fiscal year 1997 the agency is authorized to collect fees to cover the total costs of providing technical assistance, goods, or services requested by States, other political subdivisions, domestic and international organizations, foreign governments, or individuals, provided that such fees are structured such that any entity's liability for such fees is reasonably based on the technical assistance, goods, or services provided to the entity by the agency, and such fees shall be credited to this account, to remain available until expended, without further appropriation, for providing such assistance, goods, or services. Of the total amount available under this heading in fiscal year 1997, \$98,000,000 shall be derived from user fees deposited in the Agricultural Quarantine Inspection User Fee Account.

Mr. SKEEN. Mr. Chairman, I ask unanimous consent that the remainder of title I through page 29, line 17, be considered as read, printed in the RECORD and open to amendment at any point.

The CHAIRMAN. Is there an objection to the request of the gentleman from New Mexico?

There was no objection.

The remainder of title I is as follows:

BUILDINGS AND FACILITIES

For plans, construction, repair, preventive maintenance, environmental support, improvement, extension, alteration, and purchase of fixed equipment or facilities, as authorized by 7 U.S.C. 2250, and acquisition of land as authorized by 7 U.S.C. 428a, \$3,200,000, to remain available until expended.

AGRICULTURAL MARKETING SERVICE

MARKETING SERVICES

For necessary expenses to carry on services related to consumer protection, agricultural marketing and distribution, transportation, and regulatory programs, as authorized by law, and for administration and coordination of payments to States; including field employment pursuant to section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and

not to exceed \$90,000 for employment under 5 U.S.C. 3109, \$37,592,000, including funds for the wholesale market development program for the design and development of wholesale and farmer market facilities for the major metropolitan areas of the country: *Provided*, That this appropriation shall be available pursuant to law (7 U.S.C. 2250) for the alteration and repair of buildings and improvements, but the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building.

Fees may be collected for the cost of standardization activities, as established by regulation pursuant to law (31 U.S.C. 9701).

LIMITATION ON ADMINISTRATIVE EXPENSES

Not to exceed \$59,012,000 (from fees collected) shall be obligated during the current fiscal year for administrative expenses: *Provided*, That if crop size is understated and/or other uncontrollable events occur, the agency may exceed this limitation by up to 10 percent with notification to the Appropriations Committees.

FUNDS FOR STRENGTHENING MARKETS, INCOME,  
AND SUPPLY (SECTION 32)

(INCLUDING TRANSFERS OF FUNDS)

Funds available under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c) shall be used only for commodity program expenses as authorized therein, and other related operating expenses, except for: (1) transfers to the Department of Commerce as authorized by the Fish and Wildlife Act of August 8, 1956; (2) transfers otherwise provided in this Act; and (3) not more than \$10,576,000 for formulation and administration of marketing agreements and orders pursuant to the Agricultural Marketing Agreement Act of 1937, as amended, and the Agricultural Act of 1961.

PAYMENTS TO STATES AND POSSESSIONS

For payments to departments of agriculture, bureaus and departments of markets, and similar agencies for marketing activities under section 204(b) of the Agricultural Marketing Act of 1946 (7 U.S.C. 1623(b)), \$1,200,000.

GRAIN INSPECTION, PACKERS AND STOCKYARDS  
ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses to carry out the provisions of the United States Grain Standards Act, as amended, for the administration of the Packers and Stockyards Act, for certifying procedures used to protect purchasers of farm products, and the standardization activities related to grain under the Agricultural Marketing Act of 1946, as amended, including field employment pursuant to section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed \$25,000 for employment under 5 U.S.C. 3109, \$22,728,000: *Provided*, That this appropriation shall be available pursuant to law (7 U.S.C. 2250) for the alteration and repair of buildings and improvements, but the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building.

INSPECTION AND WEIGHING SERVICES

LIMITATION ON INSPECTION AND WEIGHING  
SERVICE EXPENSES

Not to exceed \$43,207,000 (from fees collected) shall be obligated during the current fiscal year for inspection and weighing services: *Provided*, That if grain export activities require additional supervision and oversight, or other uncontrollable factors occur, this limitation may be exceeded by up to 10 percent with notification to the Appropriations Committees.

## OFFICE OF THE UNDER SECRETARY FOR FOOD SAFETY

For necessary salaries and expenses of the Office of the Under Secretary for Food Safety to administer the laws enacted by the Congress for the Food Safety and Inspection Service, \$446,000.

## FOOD SAFETY AND INSPECTION SERVICE

For necessary expenses to carry on services authorized by the Federal Meat Inspection Act, as amended, the Poultry Products Inspection Act, as amended, and the Egg Products Inspection Act, as amended, \$574,000,000, and in addition, \$1,000,000 may be credited to this account from fees collected for the cost of laboratory accreditation as authorized by section 1017 of Public Law 102-237: *Provided*, That this appropriation shall not be available for shell egg surveillance under section 5(d) of the Egg Products Inspection Act (21 U.S.C. 1034(d)): *Provided further*, That this appropriation shall be available for field employment pursuant to section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed \$75,000 shall be available for employment under 5 U.S.C. 3109: *Provided further*, That this appropriation shall be available pursuant to law (7 U.S.C. 2250) for the alteration and repair of buildings and improvements, but the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building.

## OFFICE OF THE UNDER SECRETARY FOR FARM AND FOREIGN AGRICULTURAL SERVICES

For necessary salaries and expenses of the Office of the Under Secretary for Farm and Foreign Agricultural Services to administer the laws enacted by Congress for the Consolidated Farm Service Agency, Foreign Agricultural Service, and the Commodity Credit Corporation, \$572,000.

FARM SERVICE AGENCY  
SALARIES AND EXPENSES

## (INCLUDING TRANSFERS OF FUNDS)

For necessary expenses for carrying out the administration and implementation of programs administered by the Farm Service Agency, \$746,440,000: *Provided*, That the Secretary is authorized to use the services, facilities, and authorities (but not the funds) of the Commodity Credit Corporation to make program payments for all programs administered by the Agency: *Provided further*, That other funds made available to the Agency for authorized activities may be advanced to and merged with this account: *Provided further*, That these funds shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed \$1,000,000 shall be available for employment under 5 U.S.C. 3109.

## DAIRY INDEMNITY PROGRAM

## (INCLUDING TRANSFERS OF FUNDS)

For necessary expenses involved in making indemnity payments to dairy farmers for milk or cows producing such milk and manufacturers of dairy products who have been directed to remove their milk or dairy products from commercial markets because it contained residues of chemicals registered and approved for use by the Federal Government, and in making indemnity payments for milk, or cows producing such milk, at a fair market value to any dairy farmer who is directed to remove his milk from commercial markets because of (1) the presence of products of nuclear radiation or fallout if such contamination is not due to the fault of the farmer, or (2) residues of chemicals or toxic substances not included under the first sentence of the Act of August 13, 1968, as amended (7 U.S.C. 450j), if such chemicals or toxic substances were not used in a manner

contrary to applicable regulations or labeling instructions provided at the time of use and the contamination is not due to the fault of the farmer, \$100,000, to remain available until expended (7 U.S.C. 2209b): *Provided*, That none of the funds contained in this Act shall be used to make indemnity payments to any farmer whose milk was removed from commercial markets as a result of his willful failure to follow procedures prescribed by the Federal Government: *Provided further*, That this amount shall be transferred to the Commodity Credit Corporation: *Provided further*, That the Secretary is authorized to utilize the services, facilities, and authorities of the Commodity Credit Corporation for the purpose of making dairy indemnity disbursements.

## OUTREACH FOR SOCIALLY DISADVANTAGED FARMERS

For grants and contracts pursuant to section 2501 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2279), \$1,000,000, to remain available until expended.

AGRICULTURAL CREDIT INSURANCE FUND  
PROGRAM ACCOUNT

## (INCLUDING TRANSFERS OF FUNDS)

For gross obligations for the principal amount of direct and guaranteed loans as authorized by 7 U.S.C. 1928-1929, to be available from funds in the Agricultural Credit Insurance Fund, as follows: farm ownership loans, \$600,000,000, of which \$550,000,000 shall be for guaranteed loans; operating loans, \$2,345,071,000, of which \$1,700,000,000 shall be for unsubsidized guaranteed loans and \$200,000,000 shall be for subsidized guaranteed loans; Indian tribe land acquisition loans as authorized by 25 U.S.C. 488, \$1,000,000; for emergency insured loans, \$25,000,000 to meet the needs resulting from natural disasters and for credit sales of acquired property, \$25,000,000.

For the cost of direct and guaranteed loans, including the cost of modifying loans as defined in section 502 of the Congressional Budget Act of 1974, as follows: farm ownership loans, \$27,975,000, of which \$22,055,000 shall be for guaranteed loans; operating loans, \$96,840,000, of which \$19,210,000 shall be for unsubsidized guaranteed loans and \$18,480,000 shall be for subsidized guaranteed loans; Indian tribe land acquisition loans as authorized by 25 U.S.C. 488, \$54,000; for emergency insured loans, \$6,365,000 to meet the needs resulting from natural disasters; and for credit sales of acquired property, \$2,530,000.

In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, \$221,046,000, of which \$208,446,000 shall be transferred to and merged with the "Farm Service Agency, Salaries and Expenses" account.

## OFFICE OF RISK MANAGEMENT

For administrative and operating expenses, as authorized by the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 6933), \$62,198,000: *Provided*, That not to exceed \$700 shall be available for official reception and representation expenses, as authorized by 7 U.S.C. 1506(i).

## CORPORATIONS

The following corporations and agencies are hereby authorized to make expenditures, within the limits of funds and borrowing authority available to each such corporation or agency and in accord with law, and to make contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act, as amended, as may be necessary in carrying out the programs set forth in the budget for the current fiscal year for such

corporation or agency, except as hereinafter provided.

FEDERAL CROP INSURANCE CORPORATION FUND  
For payments as authorized by section 516 of the Federal Crop Insurance Act, as amended, such sums as may be necessary, to remain available until expended (7 U.S.C. 2209b).

## COMMODITY CREDIT CORPORATION FUND

## REIMBURSEMENT FOR NET REALIZED LOSSES

For fiscal year 1997, such sums as may be necessary to reimburse the Commodity Credit Corporation for net realized losses sustained, but not previously reimbursed (estimated to be \$1,500,000,000 in the President's fiscal year 1997 Budget Request (H. Doc. 104-162)), but not to exceed \$1,500,000,000, pursuant to section 2 of the Act of August 17, 1961, as amended (15 U.S.C. 713a-11).

OPERATIONS AND MAINTENANCE FOR  
HAZARDOUS WASTE MANAGEMENT

For fiscal year 1997, the Commodity Credit Corporation shall not expend more than \$5,000,000 for expenses to comply with the requirement of section 107(g) of the Comprehensive Environmental Response, Compensation, and Liability Act, as amended, 42 U.S.C. 9607(g), and section 6001 of the Resource Conservation and Recovery Act, as amended, 42 U.S.C. 6961: *Provided*, That expenses shall be for operations and maintenance costs only and that other hazardous waste management costs shall be paid for by the USDA Hazardous Waste Management appropriation in this Act.

The CHAIRMAN. The Clerk will continue to read.

The Clerk read as follows:

## TITLE II—CONSERVATION PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR  
NATURAL RESOURCES AND ENVIRONMENT

For necessary salaries and expenses of the Office of the Under Secretary for Natural Resources and Environment to administer the laws enacted by the Congress for the Forest Service and the Natural Resources Conservation Service, \$693,000.

NATURAL RESOURCES CONSERVATION SERVICE  
CONSERVATION OPERATIONS

For necessary expenses for carrying out the provisions of the Act of April 27, 1935 (16 U.S.C. 590a-590f) including preparation of conservation plans and establishment of measures to conserve soil and water (including farm irrigation and land drainage and such special measures for soil and water management as may be necessary to prevent floods and the siltation of reservoirs and to control agricultural related pollutants); operation of conservation plant materials centers; classification and mapping of soil; dissemination of information; acquisition of lands, water, and interests therein for use in the plant materials program by donation, exchange, or purchase at a nominal cost not to exceed \$100 pursuant to the Act of August 3, 1956 (7 U.S.C. 428a); purchase and erection or alternation or improvement of permanent and temporary buildings; and operation and maintenance of aircraft, \$619,392,000, to remain available until expended (7 U.S.C. 2209b), of which not less than \$5,835,000 is for snow survey and water forecasting and not less than \$8,825,000 is for operation and establishment of the plant materials centers: *Provided*, That appropriations hereunder shall be available pursuant to 7 U.S.C. 2250 for construction and improvement of buildings and public improvements at plant materials centers, except that the cost of alterations and improvements to other buildings and other public improvements shall not exceed \$250,000: *Provided further*, That when buildings or other structures are erected on non-

Federal land, that the right to use such land is obtained as provided in 7 U.S.C. 2250a: *Provided further*, That this appropriation shall be available for technical assistance and related expenses to carry out programs authorized by section 202(c) of title II of the Colorado River Basin Salinity Control Act of 1974, as amended (43 U.S.C. 1592(c)): *Provided further*, That no part of this appropriation may be expended for soil and water conservation operations under the Act of April 27, 1935 (16 U.S.C. 590a-590f) in demonstration projects: *Provided further*, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225) and not to exceed \$25,000 shall be available for employment under 5 U.S.C. 3109: *Provided further*, That qualified local engineers may be temporarily employed at per diem rates to perform the technical planning work of the Service (16 U.S.C. 590e-2).

Mr. SKEEN. Mr. Chairman, I ask unanimous consent that the remainder of title II, through page 34, line 7, be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from New Mexico?

There was no objection.

The remainder of title II is as follows:

#### WATERSHED SURVEYS AND PLANNING

For necessary expenses to conduct research, investigation, and surveys of watersheds of rivers and other waterways, and for small watershed investigations and planning, in accordance with the Watershed Protection and Flood Prevention Act approved August 4, 1954, as amended (16 U.S.C. 1001-1009), \$10,762,000: *Provided*, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed \$110,000 shall be available for employment under 5 U.S.C. 3109.

#### WATERSHED AND FLOOD PREVENTION OPERATIONS

For necessary expenses to carry out preventive measures, including but not limited to research, engineering operations, methods of cultivation, the growing of vegetation, rehabilitation of existing works and changes in use of land, in accordance with the Watershed Protection and Flood Prevention Act approved August 4, 1954, as amended (16 U.S.C. 1001-1005, 1007-1009), the provisions of the Act of April 27, 1935 (16 U.S.C. 590a-f), and in accordance with the provisions of laws relating to the activities of the Department, \$101,036,000, to remain available until expended (7 U.S.C. 2209b), of which up to \$15,000,000 may be available for the watersheds authorized under the Flood Control Act approved June 22, 1936 (33 U.S.C. 701, 16 U.S.C. 1006a), as amended and supplemented: *Provided*, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed \$200,000 shall be available for employment under 5 U.S.C. 3109: *Provided further*, That not to exceed \$1,000,000 of this appropriation is available to carry out the purposes of the Endangered Species Act of 1973 (Public Law 93-205), as amended, including cooperative efforts as contemplated by that Act to relocate endangered or threatened species to other suitable habitats as may be necessary to expedite project construction.

#### RESOURCE CONSERVATION AND DEVELOPMENT

For necessary expenses in planning and carrying out projects for resource conserva-

tion and development and for sound land use pursuant to the provisions of section 32(e) of title III of the Bankhead-Jones Farm Tenant Act, as amended (7 U.S.C. 1010-1011; 76 Stat. 607), the Act of April 27, 1935 (16 U.S.C. 590a-f), and the Agriculture and Food Act of 1981 (16 U.S.C. 3451-3461), \$29,377,000, to remain available until expended (7 U.S.C. 2209b): *Provided*, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed \$50,000 shall be available for employment under 5 U.S.C. 3109.

#### FORESTRY INCENTIVES PROGRAM

For necessary expenses, not otherwise provided for, to carry out the program of forestry incentives, as authorized in the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2101), including technical assistance and related expenses, \$6,325,000, to remain available until expended, as authorized by that Act.

The CHAIRMAN. The Clerk will read. The Clerk read as follows:

#### TITLE III—RURAL ECONOMIC AND COMMUNITY DEVELOPMENT PROGRAMS OFFICE OF THE UNDER SECRETARY FOR RURAL DEVELOPMENT

For necessary salaries and expenses of the Office of the Under Secretary for Rural Development to administer programs under the laws enacted by the Congress for the Rural Housing Service, Rural Business-Cooperative Service, and the Rural Utilities Service of the Department of Agriculture, \$588,000.

#### RURAL HOUSING SERVICE

##### RURAL HOUSING INSURANCE FUND PROGRAM ACCOUNT (INCLUDING TRANSFERS OF FUNDS)

For gross obligations for the principal amount of direct and guaranteed loans as authorized by title V of the Housing Act of 1949, as amended, to be available from funds in the rural housing insurance fund, as follows: \$3,300,000,000 for loans to section 502 borrowers, as determined by the Secretary, of which \$2,300,000,000 shall be for unsubsidized guaranteed loans; \$35,000,000 for section 504 housing repair loans; \$15,000,000 for section 514 farm labor housing; \$58,654,000 for section 515 rental housing; \$600,000 for section 524 site loans; \$50,000,000 for credit sales of acquired property; and \$600,000 for section 523 self-help housing land development loans.

For the cost of direct and guaranteed loans, including the cost of modifying loans, as defined in section 502 of the Congressional Budget Act of 1974, as follows: section 502 loans, \$89,210,000, of which \$6,210,000 shall be for unsubsidized guaranteed loans; section 504 housing repair loans, \$11,081,000; section 514 farm labor housing, \$6,885,000; section 515 rental housing, \$28,987,000: *Provided*, That no funds for new construction for section 515 rental housing may be available for fiscal year 1997; credit sales of acquired property, \$4,050,000; and section 523 self-help housing land development loans, \$17,000.

Mr. WALSH. Mr. Chairman, I move to strike the last word.

Mr. Speaker, my purpose in rising today is to enter into a colloquy with my chairman, the gentleman from New Mexico [Mr. SKEEN] regarding the section 515 rural rental housing program.

As my colleague knows, the fiscal year 1997 Agriculture Appropriations bill we are now considering, does not provide any funds for section 515 new construction, and actually cuts the program by two thirds from the current fiscal year. This program has been

useful in my district providing housing for low income families, creating jobs, and attracting important economic development to a rural area. It has been a successful public-private partnership. Therefore, I wish to express some concern about this issue.

Mr. Chairman, as you know, the section 515 Rural Housing program provides affordable rental housing to very low-income and low-income rural families, handicapped, and elderly residents. It is the Federal Government's only directly targeted tool for meeting the multifamily housing needs of rural America. The average income of a tenant in a section 515 project is under \$7,300. However, in 1993, problems and abuses in the section 515 program were uncovered and investigated by the General Accounting Office [GAO], the House Appropriations Committee's surveys and investigations staff, and the U.S. Department of Agriculture's inspector general. In the summer of 1994, the House Appropriations Committee investigative report on section 515 and section 521 was released, under the gentleman's and Congressman DURBIN's leadership.

Without going into a great deal of detail, after hearings, audits, and many meetings, the House passed H.R. 3838, the Housing and Community Development Act of 1994. This effort developed a list of reforms to the section 515 program. The House again passed a bill in this Congress, H.R. 1691, the Home-steading and Neighborhood Restoration Act, which included similar provisions to the reforms in H.R. 3838. Unfortunately, however, the Senate has not taken any action on this issue.

Mr. Chairman, the gentleman and ranking minority member, Mr. DURBIN, are to be commended for bringing these problems to our attention. The section 515 program is in need of reform.

However, according to the 1990 census, there were still 7.6 million people below the poverty line in the rural United States, 13 percent of the total rural population. Adding to this problem is the fact that almost 2.7 million rural residents currently live in substandard housing and 1.8 million live in overcrowded housing units. This year there are 200,000 applicants on the waiting list for apartments in rural areas. The section 515 program is serving a significant rural need, and the fiscal year 1997 level of funding is not adequate to meet even a fraction of that need.

I might add that most States, including New York, are running the program honestly and effectively, and, Mr. Chairman, I agree with you the Senate needs to address this issue. It is my intention to discuss the reform of the section 515 program with Senator ALFONSE D'AMATO, chairman of the Senate Banking Committee. It is my hope that reasonable reforms of the section 515 program can be considered in the Senate agriculture appropriations bill or other housing authorization legislation.



Mr. Chairman, I would like to request that if the Senate does consider reforms of the section 515 Rural Rental Housing Program, if the gentleman would be willing to reopen the issue, and provide funding for section 515 new construction.

Mr. DURBIN. Mr. Chairman, will the gentleman yield?

Mr. WALSH. I yield to the gentleman from Illinois.

Mr. DURBIN. Mr. Chairman, I thank the gentleman from New York [Mr. WALSH]. I appreciate his concern about the funding of section 515, new construction.

The 515 program has a worthy objective. It is a goal which all of us share in providing multifamily housing in rural areas.

Several years ago, when this subcommittee investigated this program, we found that some developers were ripping off the Federal Government. We proposed to the Committee on Banking and Financial Services some significant reforms in this program. The Committee on Banking and Financial Services passed housing authorization bills which adopted most of what we proposed on a bipartisan basis. Then a new Congress came in. The same thing occurred under the new Congress. The Republican-controlled Banking Subcommittee on Housing, which I believe the gentleman from New York [Mr. LAZIO] chairs, passed reform legislation along the lines we have suggested. Again, as in the previous Congress, the bill died in the Senate.

This subcommittee is very frustrated. We want to fund this program. We do not want to waste taxpayers' dollars. If we can pass the reforms suggested in both bills, this program will be funded as it should be. The gentleman from New York is right. We need to meet our obligation here, but to do it in a way that we can do it with a straight face and say we are doing the right thing by taxpayers.

I am pleased that the gentleman intends to speak to the chairman of the Senate Committee on Banking. The opportunity to put this program on track is in their hands, and I would like to see the Senate act on those reforms.

The CHAIRMAN. The time of the gentleman from New York [Mr. WALSH] has expired.

(By unanimous consent, Mr. WALSH was allowed to proceed for 1 additional minute.)

Mr. WALSH. Mr. Chairman, I yield to the gentleman from New Mexico [Mr. SKEEN].

Mr. SKEEN. Mr. Chairman, I, too, appreciate the gentleman's concern and support the goal of the section 515 program.

Unfortunately, our lower allocation for the entire appropriations bill this year necessitated a careful review of our funding priorities. We simply do not have the ability to fund programs about which we are uneasy. While many members of our subcommittee support rural housing programs, sec-

tion 515 has been beset with problems, as mentioned in the colloquies that have taken place before this one. The Agency, through administrative actions, has addressed numerous weaknesses in the program, however, statutory changes are necessary to further rid the program of fraud and abuse.

The House has acted twice on the reforms. It is now time for the Senate to act. Of course, we would be willing to consider the gentleman's request once we have seen movement by the Senate on this particular program.

Mr. WALSH. Mr. Chairman, I pledge that I will pursue this aggressively with the Senator from New York and see if we can get these reforms passed.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, \$366,205,000, which shall be transferred to and merged with the appropriation for "Rural Housing Service, Salaries and Expenses".

Mr. SKEEN. Mr. Chairman, I ask unanimous consent that the remainder of title III through page 46, line 10, be considered as read, printed in the RECORD and open to amendment at any point.

The CHAIRMAN. Is there any objection to the request of the gentleman from New Mexico.

There was no objection.

The remainder of title III is as follows:

#### RENTAL ASSISTANCE PROGRAM

For rental assistance agreements entered into or renewed pursuant to the authority under section 521(a)(2) or agreements entered into in lieu of debt forgiveness or payments for eligible households as authorized by section 502(c)(5)(D) of the Housing Act of 1949, as amended, \$493,870,000; and in addition such sums as may be necessary, as authorized by section 521(c) of the Act, to liquidate debt incurred prior to fiscal year 1992 to carry out the rental assistance program under section 521(a)(2) of the Act: *Provided*, That of this amount not more than \$5,900,000 shall be available for debt forgiveness or payments for eligible households as authorized by section 502(c)(5)(D) of the Act, and not to exceed \$10,000 per project for advances to nonprofit organizations or public agencies to cover direct costs (other than purchase price) incurred in purchasing projects pursuant to section 502(c)(5)(C) of the Act: *Provided further*, That agreements entered into or renewed during fiscal year 1997 shall be funded for a five-year period, although the life of any such agreement may be extended to fully utilize amounts obligated.

#### MUTUAL AND SELF-HELP HOUSING GRANTS

For grants and contracts pursuant to section 523(b)(1)(A) of the Housing Act of 1949 (42 U.S.C. 1490c), \$26,000,000, to remain available until expended (7 U.S.C. 2209b).

#### RURAL HOUSING ASSISTANCE PROGRAM

##### (INCLUDING TRANSFERS OF FUNDS)

For the cost of direct loans, loan guarantees, agreements, and grants, as authorized by 7 U.S.C. 1926, 42 U.S.C. 1472, 1474, 1479, 1486, and 1490(a), except for sections 381E, 381H, 381N of the Consolidated Farm and Rural Development Act, \$73,190,000, to remain available until expended, for direct loans and loan guarantees for community facilities, community facilities grant program, rural hous-

ing for domestic farm labor grants, supervisory and technical assistance grants, very low-income housing repair grants, rural community fire protection grants, rural housing preservation grants, and compensation for construction defects of the Rural Housing Service: *Provided*, That the cost of direct loans and loan guarantees shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: *Provided further*, That the amounts appropriated shall be transferred to loan program and grant accounts as determined by the Secretary: *Provided further*, That no funds for new construction relating to 515 rental housing may be available for fiscal year 1997: *Provided further*, That of the funds made available in this paragraph not more than \$1,200,000 shall be available for the multi-family rural housing loan guarantee program as authorized by section 5 of Public Law 104-120: *Provided further*, That if such funds are not obligated for multi-family rural housing loan guarantees by June 30, 1997, they remain available for other authorized purposes under this head: *Provided further*, That of the total amount appropriated, not to exceed \$1,200,000 shall be available for the cost of direct loans, loan guarantees, and grants to be made available for empowerment zones and enterprise communities as authorized by Public Law 103-66: *Provided further*, That if such funds are not obligated for empowerment zones and enterprise communities by June 30, 1997, they remain available for other authorized purposes under this head.

#### SALARIES AND EXPENSES

For necessary expenses of the Rural Housing Service, including administering the programs authorized by the Consolidated Farm and Rural Development Act, as amended, title V of the Housing Act of 1949, as amended, and cooperative agreements, \$53,889,000: *Provided*, That this appropriation shall be available for employment pursuant to the second sentence of 706(a) of the Organic Act of 1944, and not to exceed \$520,000 may be used for employment under 5 U.S.C. 3109.

#### RURAL BUSINESS-COOPERATIVE SERVICE

##### RURAL DEVELOPMENT LOAN FUND PROGRAM ACCOUNT

##### (INCLUDING TRANSFERS OF FUNDS)

For the cost of direct loans, \$18,400,000, as authorized by the Rural Development Loan Fund (42 U.S.C. 9812(a)): *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That these funds are available to subsidize gross obligations for the principal amount of direct loans of \$40,000,000: *Provided further*, That through June 30, 1997, of the total amount appropriated \$3,345,000 shall be available for the cost of direct loans, for empowerment zones and enterprise communities, as authorized by title XIII of the Omnibus Budget Reconciliation Act of 1993, to subsidize gross obligations for the principal amount of direct loans, \$7,246,000.

##### RURAL ECONOMIC DEVELOPMENT LOANS PROGRAM ACCOUNT

##### (INCLUDING TRANSFERS OF FUNDS)

For the principal amount of direct loans, as authorized under section 313 of the Rural Electrification Act, for the purpose of promoting rural economic development and job creation projects, \$12,865,000.

For the cost of direct loans, including the cost of modifying loans as defined in section 502 of the Congressional Budget Act of 1974, \$2,830,000. In addition, for administrative expenses necessary to carry out the direct loan program, \$654,000, which shall be transferred to and merged with the appropriation for "Salaries and Expenses."



ALTERNATIVE AGRICULTURAL RESEARCH AND  
COMMERCIALIZATION REVOLVING FUND

For necessary expenses to carry out the Alternative Agricultural Research and Commercialization Act of 1990 (7 U.S.C. 5901-5908), \$6,000,000 is appropriated to the alternative agricultural research and commercialization revolving fund.

RURAL BUSINESS—COOPERATIVE ASSISTANCE  
PROGRAM

(INCLUDING TRANSFERS OF FUNDS)

For the cost of direct loans, loan guarantees, and grants, as authorized by 7 U.S.C. 1926, 1928, and 1932, except for 381E, 381H, 381N of the Consolidated Farm and Rural Development Act, \$51,400,000, to remain available until expended, for direct loans and loan guarantees for business and industry assistance, rural business grants, rural cooperative development grants, and rural business opportunity grants of the Rural Business—Cooperative Service: *Provided*, That the cost of direct loans and loan guarantees shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: *Provided further*, That \$500,000 shall be available for grants to qualified nonprofit organizations as authorized under section 310B(c)(2) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1932): *Provided further*, That the amounts appropriated shall be transferred to loan program and grant accounts as determined by the Secretary: *Provided further*, That, of the total amount appropriated, not to exceed \$3,000,000 shall be available for cooperative development: *Provided further*, That, of the total amount appropriated, not to exceed \$148,000 shall be available for the cost of direct loans, loan guarantees, and grants to be made available for business and industry loans for empowerment zones and enterprise communities as authorized by Public Law 103-66 and rural development loans for empowerment zones and enterprise communities as authorized by title XIII of the Omnibus Budget Reconciliation Act of 1993: *Provided further*, That if such funds are not obligated for empowerment zones and enterprise communities by June 30, 1997, they remain available for other authorized purposes under this head.

SALARIES AND EXPENSES

For necessary expenses of the Rural Business-Cooperative Service, including administering the programs authorized by the Consolidated Farm and Rural Development Act, as amended; section 1323 of the Food Security Act of 1985; the Cooperative Marketing Act of 1926; for activities relating to the marketing aspects of cooperatives, including economic research findings, as authorized by the Agricultural Marketing Act of 1946; for activities with institutions concerning the development and operation of agricultural cooperatives; and cooperative agreements; \$25,680,000: *Provided*, That this appropriation shall be available for employment pursuant to the second sentence of 706(a) of the Organic Act of 1944, and not to exceed \$260,000 may be used for employment under 5 U.S.C. 3109.

RURAL UTILITIES SERVICE

RURAL ELECTRIFICATION AND TELECOMMUNICATIONS LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

Insured loans pursuant to the authority of section 305 of the Rural Electrification Act of 1936, as amended (7 U.S.C. 935), shall be made as follows: 5 percent rural electrification loans, \$125,000,000, 5 percent rural telecommunications loans, \$75,000,000; cost of money rural telecommunications loans, \$300,000,000; municipal rate rural electric loans, \$525,000,000; and loans made pursuant to section 306 of that Act, rural electric,

\$300,000,000, and rural telecommunications, \$120,000,000, to remain available until expended.

For the cost, as defined in section 502 of the Congressional Budget Act of 1974, including the cost of modifying loans, of direct and guaranteed loans authorized by the Rural Electrification Act of 1936, as amended (7 U.S.C. 935), as follows: cost of direct loans, \$4,818,000; cost of municipal rate loans, \$28,245,000; cost of money rural telecommunications loans, \$60,000; cost of loans guaranteed pursuant to section 306, \$2,790,000: *Provided*, That notwithstanding section 305(d)(2) of the Rural Electrification Act of 1936, borrower interest rates may exceed 7 percent per year.

In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, \$29,982,000, which shall be transferred to and merged with the appropriation for "Salaries and Expenses."

RURAL TELEPHONE BANK PROGRAM ACCOUNT

The Rural Telephone Bank is hereby authorized to make such expenditures, within the limits of funds available to such corporation in accord with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act, as amended, as may be necessary in carrying out its authorized programs for the current fiscal year. During fiscal year 1997 and within the resources and authority available, gross obligations for the principal amount of direct loans shall be \$175,000,000.

For the cost, as defined in section 502 of the Congressional Budget Act of 1974, including the cost of modifying loans, of direct loans authorized by the Rural Electrification Act of 1936, as amended (7 U.S.C. 935), \$2,328,000.

In addition, for administrative expenses necessary to carry out the loan programs, \$3,500,000.

DISTANCE LEARNING AND MEDICAL LINK  
PROGRAM

For the cost of direct loans and grants, as authorized by 7 U.S.C. 950aaa et seq., as amended, \$7,500,000, to remain available until expended, to be available for loans and grants for telemedicine and distance learning services in rural areas: *Provided*, That the costs of direct loans shall be as defined in section 502 of the Congressional Budget Act of 1974.

RURAL UTILITIES ASSISTANCE PROGRAM  
(INCLUDING TRANSFERS OF FUNDS)

For the cost of direct loans, loan guarantees, and grants, as authorized by 7 U.S.C. 1926, 1928, and 1932, except for 381E, 381H, 381N of the Consolidated Farm and Rural Development Act, \$496,868,000, to remain available until expended, for direct loans and loan guarantees and grants for rural water and waste disposal, and solid waste management grants of the Rural Utilities Service: *Provided*, That the cost of direct loans and loan guarantees shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: *Provided further*, That the amounts appropriated shall be transferred to loan program and grant accounts as determined by the Secretary: *Provided further*, That, through June 30, 1997, of the total amount appropriated, \$18,700,000 shall be available for the costs of direct loans, loan guarantees, and grants to be made available for empowerment zones and enterprise communities, as authorized by Public Law 103-66: *Provided further*, That, of the total amount appropriated, not to exceed \$18,700,000 shall be for water and waste disposal systems to benefit the Colonias along the United States/Mexico border, including grants pursuant to section 306C of the Consolidated Farm and

Rural Development Act, as amended: *Provided further*, That, of the total amount appropriated, not to exceed \$5,000,000 shall be available for contracting with qualified national organizations for a circuit rider program to provide technical assistance for rural water systems: *Provided further*, That an amount not less than that available in fiscal year 1996 be set aside and made available for ongoing technical assistance under sections 306(a)(14) (7 U.S.C. 1926) and 310(B)(b) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1932).

SALARIES AND EXPENSES

For necessary expenses of the Rural Utilities Service, including administering the programs authorized by the Rural Electrification Act of 1936, as amended, and the Consolidated Farm and Rural Development Act, as amended, and cooperative agreements, \$33,195,000: *Provided*, That this appropriation shall be available for employment pursuant to the second sentence of 706(a) of the Organic Act of 1944, and not to exceed \$105,000 may be used for employment under 5 U.S.C. 3109.

The CHAIRMAN. Are there any amendments?

If not, the Clerk will read.

The Clerk read as follows:

TITLE IV

DOMESTIC FOOD PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR FOOD,  
NUTRITION AND CONSUMER SERVICES

For necessary salaries and expenses of the Office of the Under Secretary for Food, Nutrition and Consumer Services to administer the laws enacted by the Congress for the Food and Consumer Service, \$454,000.

CHILD NUTRITION PROGRAMS

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses to carry out the National School Lunch Act (42 U.S.C. 1751-1769b), except section 21, and the Child Nutrition Act of 1966 (42 U.S.C. 1772-1785, and 1889); except sections 17 and 19; \$8,652,597,000, to remain available through September 30, 1998, of which \$3,218,844,000 is hereby appropriated and \$5,433,753,000 shall be derived by transfer from funds available under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c); *Provided*, That none of the funds made available under this heading shall be used for studies and evaluations: *Provided further*; That up to \$4,031,000 shall be available for independent verification of school food service claims.

□ 1700

AMENDMENTS OFFERED BY MR. VOLKMER

Mr. VOLKMER. Mr. Chairman, I offer amendments, and I ask unanimous consent that they be considered en bloc.

The Clerk read as follows:

Amendments offered by Mr. VOLKMER:.

On page 47, line 4 of the bill after the words "used for" insert "new" and on page 48, line 19 of the bill after the words "used for" insert "new".

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. VOLKMER. Mr. Chairman, this is for the purpose of making it clear that the appropriation on further studies and evaluations by this office over USDA will only be prospective for the coming year. It does not include any evaluation and studies that are ongoing at the present time, so that valid studies like for the electronic benefit transfer, WIC program, and stuff, that will continue.

I have worked this out with the gentleman from New Mexico and the gentleman from Illinois. I do not believe there are any objections to the amendments.

Mr. SKEEN. Mr. Chairman, I rise in support of the gentleman's amendments. It was not the intention of the committee to stop any ongoing studies. The Department currently has 62 studies that are at one stage or another and plans to start 36 new studies in fiscal year 1997. The committee's action was intended to prevent the start of new studies for 1 year and give the Department time to complete the 62 ongoing studies. I accept the gentleman's clarification.

Mr. DURBIN. Mr. Chairman, I move to strike the last word. I have no objection to the amendments offered by the gentleman from Missouri.

The CHAIRMAN. The question is on the amendments offered by the gentleman from Missouri [Mr. VOLKMER].

The amendments were agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

**SPECIAL SUPPLEMENTAL NUTRITION PROGRAM  
FOR WOMEN, INFANTS, AND CHILDREN (WIC)**

For necessary expenses to carry out the special supplemental nutrition program as authorized by section 17 of the Child Nutrition Act of 1966 (42 U.S.C. 1786), \$3,729,807,000, to remain available through September 30, 1998: *Provided*, That none of the funds made available under this heading may be used to begin more than two studies and evaluations: *Provided further*, That up to \$6,750,000 may be used to carry out the farmers' market nutrition program from any funds not needed to maintain current caseload levels: *Provided further*, That, of the total amount of fiscal year 1996 carryover funds that cannot be spent in fiscal year 1997, any funds in excess of \$100,000,000 may be transferred by the Secretary to other programs in the Department of Agriculture, excluding the Forest Service, with prior notification to the House and Senate Appropriations Committees: *Provided further*, That none of the funds in this Act shall be available to pay administrative expenses of WIC clinics except those that have an announced policy of prohibiting smoking within the space used to carry out the program: *Provided further*, That none of the funds provided in this account shall be available for the purchase of infant formula except in accordance with the cost containment and competitive bidding requirements specified in section 17 of the Child Nutrition Act of 1966 (42 U.S.C. 1786).

**FOOD STAMP PROGRAM**

For necessary expenses to carry out the Food Stamp Act (7 U.S.C. 2011-2029), \$27,615,029,000: *Provided*, That funds provided herein shall remain available through September 30, 1997, in accordance with section 18(a) of the Food Stamp Act: *Provided further*, That \$100,000,000 of the foregoing amount shall be placed in reserve for use only in such amounts and at such times as may become necessary to carry out program operations: *Provided further*, That none of the funds made available under this heading shall be used for studies and evaluations: *Provided further*, That funds provided herein shall be expended in accordance with section 16 of the Food Stamp Act: *Provided further*, That this appropriation shall be subject to any work registration or workfare requirements as may be required by law: *Provided further*, That \$1,174,000,000 of the foregoing amount shall

be available for nutrition assistance for Puerto Rico as authorized by 7 U.S.C. 2028.

**COMMODITY ASSISTANCE PROGRAM**

For necessary expenses to carry out the commodity supplemental food program as authorized by section 4(a) of the Agriculture and Consumer Protection Act of 1973 (7 U.S.C. 612c (note)), the Emergency Food Assistance Act of 1983, as amended, and section 110 of the Hunger Prevention Act of 1988, \$166,000,000, to remain available through September 30, 1998: *Provided*, That none of these funds shall be available to reimburse the Commodity Credit Corporation for commodities donated to the program.

**FOOD DONATIONS PROGRAMS FOR SELECTED  
GROUPS**

For necessary expenses to carry out section 4(a) of the Agriculture and Consumer Protection Act of 1973 (7 U.S.C. 612c (note)), section 4(b) of the Food Stamp Act (7 U.S.C. 2013(b)), and section 311 of the Older Americans Act of 1965, as amended (42 U.S.C. 3030a), \$205,000,000, to remain available through September 30, 1998.

**FOOD PROGRAM ADMINISTRATION**

For necessary administrative expenses of the domestic food programs funded under this Act, \$104,487,000, of which \$5,000,000 shall be available only for simplifying procedures, reducing overhead costs, tightening regulations, improving food stamp coupon handling, and assistance in the prevention, identification, and prosecution of fraud and other violations of law: *Provided*, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed \$150,000 shall be available for employment under 5 U.S.C. 3109.

**TITLE V**

**FOREIGN ASSISTANCE AND RELATED  
PROGRAMS**

**FOREIGN AGRICULTURAL SERVICE AND  
GENERAL SALES MANAGER  
(INCLUDING TRANSFERS OF FUNDS)**

For necessary expenses of the Foreign Agricultural Service, including carrying out title VI of the Agricultural Act of 1954, as amended (7 U.S.C. 1761-1768), market development activities abroad, and for enabling the Secretary to coordinate and integrate activities of the Department in connection with foreign agricultural work, including not to exceed \$128,000 for representation allowances and for expenses pursuant to section 8 of the Act approved August 3, 1956 (7 U.S.C. 1766), \$128,005,000, of which \$2,792,000 may be transferred from the Export Loan Program account in this Act, and \$1,005,000 may be transferred from the Public Law 480 program account in this Act: *Provided*, That the Service may utilize advances of funds, or reimburse this appropriation for expenditures made on behalf of Federal agencies, public and private organizations and institutions under agreements executed pursuant to the agricultural food production assistance programs (7 U.S.C. 1736) and the foreign assistance programs of the International Development Cooperation Administration (22 U.S.C. 2392): *Provided further*, That funds provided for foreign market development to trade associations, cooperatives and small businesses shall be allocated only after a competitive bidding process to target funds to those entities most likely to generate additional U.S. exports as a result of the expenditure.

None of the funds in the foregoing paragraph shall be available to promote the sale or export of tobacco or tobacco products.

**PUBLIC LAW 480 PROGRAM AND GRANT ACCOUNTS  
(INCLUDING TRANSFERS OF FUNDS)**

For expenses during the current fiscal year, not otherwise recoverable, and unre-

covered prior years' costs, including interest thereon, under the Agricultural Trade Development and Assistance Act of 1954, as amended (7 U.S.C. 1691, 1701-1715, 1721-1726, 1727-1727f, 1731-1736g), as follows: (1) \$216,400,000 for Public Law 480 title I credit, including Food for Progress programs; (2) \$13,905,000 is hereby appropriated for ocean freight differential costs for the shipment of agricultural commodities pursuant to title I of said Act and the Food for Progress Act of 1985, as amended; (3) \$837,000,000 is hereby appropriated for commodities supplied in connection with dispositions abroad pursuant to title II of said Act; and (4) \$29,500,000 is hereby appropriated for commodities supplied in connection with dispositions abroad pursuant to title III of said Act: *Provided*, That not to exceed 15 percent of the funds made available to carry out any title of said Act may be used to carry out any other title of said Act: *Provided further*, That such sums shall remain available until expended (7 U.S.C. 2209b).

For the cost, as defined in section 502 of the Congressional Budget Act of 1974, of direct credit agreements as authorized by the Agricultural Trade Development and Assistance Act of 1954, as amended, and the Food for Progress Act of 1985, as amended, including the cost of modifying credit agreements under said Act, \$177,000,000.

In addition, for administrative expenses to carry out the Public Law 480 title I credit program, and the Food for Progress Act of 1985, as amended, to the extent funds appropriated for Public Law 480 are utilized, \$1,750,000.

**AMENDMENT OFFERED BY MR. GOSS**

Mr. GOSS. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 4 offered by Mr. GOSS: Page 51, line 23, strike "1727-1727f,".

Page 52, line 4, insert "and" before "(3)".

Page 52, line 7, strike "; and (4)" and all that follows through "Act" on line 9.

Page 52, line 11, insert "such" before "title".

Page 52, line 12, insert "such" before "title".

Mr. GOSS. Mr. Chairman, this amendment goes to title III of Public Law 480. We have taken a close look at Public Law 480. There are some pluses and minuses to it. The pluses that we have talked about in the past are the business for American flag shipping, the compassion and humanitarian relief that so many are concerned about and the champion, the gentleman from Ohio [Mr. HALL], spoke so eloquently about it yesterday in the Rules Committee and an area which I have a great deal of sympathy.

Mr. Chairman, this amendment was to go to title III which is basically the loans proposition in Public Law 40. It does not touch the humanitarian programs in title II or some of the other programs that I think serve a very good purpose in title I that basically come under the grants programs.

The question here is not an awful lot of money but the question here is a program that is not working very well that does have negative consequences and the money could be better spent elsewhere. I have conferred with Chairman LIVINGSTON if in fact this \$29 million would not do better in title I or

title II than title III and I think Chairman LIVINGSTON is going to speak on that in a moment.

So my view is to zero out title III and to leave to the wisdom of others, who I think, as I say, are going to speak on this, that \$29.5 million to get it more on target.

What are my reasonings on this? We have now got some reports that we have been taking an increasing look at that are talking about the problems of waste, fraud, and abuse in Public Law 480. This does not get to all of those. But what it does get to is that those countries where we are distorting the market by creating a surplus of food coming from us where the people who should be in the position of creating, a lifting up by their own bootstraps to feed themselves are being unfairly competed with by local UST foods under title III. Consequently we get a negative effect. We are not helping people create their own development in their own country. We are creating a counterincentive for them to have their hand out and become dependents on welfare of the American taxpayers. That is not what we want to do.

We want to encourage development in these programs; we want the United States to be compassionate; we want people to be fed who are in true need and in true hunger and we can do that through titles I and II. This simple amendment takes the \$29.5 million out of title III and makes it available for reallocation.

Mr. Chairman, I yield to the distinguished gentleman from Louisiana [Mr. LIVINGSTON], the chairman of the Committee on Appropriations.

Mr. LIVINGSTON. I thank my friend from Florida for yielding to me.

Mr. Chairman, while I take no position on his amendment, I would say to our colleagues that if his amendment succeeds, it would be my intention to take the full amount that has been deleted from title III and move it into title I so that we would in fact have no change in the overall spending for food aid under the bill.

One may make the case that title I is better administered than title III, and if that is the case, then the money will be better spent in that fashion. I commend the gentleman for his diligence in trying to make sure that the American taxpayers' dollars are well spent. As I say, while I do not necessarily support the amendment, I do intend to move the money to title I in the event that he is successful.

Mr. GOSS. Mr. Chairman, reclaiming my time, I have nothing further to add to this. I think it is a very straightforward explanation. I would be very happy to respond to any questions from those in opposition.

Mr. DURBIN. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I stand in opposition to this amendment. Keep in mind that we have reduced the amount of money under title III, Public Law 480, from \$50 million to \$29 million. I am almost

speechless, and that is something for a politician, when I consider that we are now trying to take away \$29 million spent by the United States of America in the poorest countries of the world, literally the poorest of the poor. The money is given to professional private voluntary organizations which use the food to convert into cash to put into programs to feed the poorest people in the world literally.

In order for a country to qualify for this \$29 million, I say to my friend from Florida, there is a requirement under the law that the annual income has to be less than \$742 a year. We are talking about people, and I have visited people in Bangladesh, which has to be a basket case among this family of nations that we live in for disastrous consequences from cyclones and hurricanes to flooding and drought.

This money is given to local organizations through the conversion of grain into cash and then given back to the people to feed their babies, to feed their infants, to make certain that we do not see the horror on the television of people starving to death. That is what title III is all about.

Mr. Chairman, the grain companies are not going to notice \$29 million more in title I, but we are going to notice it when they visit countries like Bangladesh, Bolivia, Honduras, Sri Lanka, and Ethiopia where the poorest of the poor rely on this program. A nation as rich as the United States, as compassionate as the United States, can surely spare \$29 million out of a \$1.5 trillion budget for the poorest of the poor around the world.

I guarantee my colleague from Florida that if his amendment goes through and we see the kind of famine and disaster we have seen in nations, there will be an outpouring not only from private citizens but from this Government to come to their aid. Please do not cut off this basic program which provides food. This is not a boondoggle.

The gentleman says it is used to distort the market mechanism. The market mechanism in Bangladesh? Has the gentleman been there? Has he seen their market mechanism? It is not a question of driving to the supermarket. It is a question of whether the baby has milk, whether or not there are basic foodstuffs to feed children.

Mr. GOSS. Mr. Chairman, will the gentleman yield?

Mr. DURBIN. I yield to the gentleman from Florida.

Mr. GOSS. Mr. Chairman, the purpose of my amendment is not to take away food from those who are truly needy or in any way to diminish the American contribution for true compassionate service needs. My aim is to try and get more mileage out of our dollar. That is why Chairman LIVINGSTON has made the statement that he has. The parts of this program that are doing the very thing that the gentleman is speaking about, and speaking so eloquently about, are title I and title II. Title III is where the abuse has been. It is the mechanism I am after.

Mr. DURBIN. Let me reclaim my time. I think the gentleman has made his point. I think the gentleman needs to take the time to read what is done with the title III money. The gentleman will understand that when you spread \$29 million over the poorest countries in the world, you literally give a tiny helping hand.

Let me give an example. In Honduras, the title III money is being used for purposes such as providing food to 1.3 million children and nursing mothers. In Sri Lanka they have developed a Food Stamp Program for the poorest of the poor who live in rural areas; in Bangladesh, establishing a strategic food reserve so that farmers can basically have food when they go through these droughts and lose everything.

I would say to the gentleman, if we need to find \$29 million more for title I, I will work overtime to find it. Please do not take it out of title III. We have cut this program dramatically. It is a program that truly is a compassionate program. I have been there. I have seen it. The gentleman just does not understand the gravity of this program and its importance to some of the poorest people in the world.

I urge my colleagues, do not do this in the name of false economy. If we have a famine and a disaster, we will respond with much more than \$29 million. Please defeat this amendment.

Mr. LIVINGSTON. Mr. Chairman, I move to strike the requisite number of words, and I yield to the gentleman from Florida [Mr. GOSS].

Mr. GOSS. I thank the distinguished chairman of the Committee on Appropriations for yielding.

Mr. Chairman, again I think we are going at cross purposes here and I realize that I have hit a chord of real compassion which has made the gentleman be, I think, very concerned but totally unnecessarily so. We have a commitment from the chairman of the Committee on Appropriations that programs that are passing muster, which are titles I and II, much better in getting right to the compassion need are the appropriate place for this money to go.

What brought my attention to this particular title problem was a problem that happened in Somalia where the war lords were abusing this title, I am told, and requiring people to come into the city, for political reasons, in order to get this food. This was using this sort of as a political chip to coerce people, who are in dire straits, as we all know, which helped escalate to another serious problem that regrettably we saw another tragedy involving American servicemen on. We go to the IG's reports at USID on this matter and start looking at the fraud, waste, and abuse. I have no problem in sharing America's wonderfully blessed abundant resources with those truly in need, subject, of course, to rational and prudent constraints of our own domestic needs in this country. I am only suggesting that if we have mechanisms

that are not performing well and we find ourselves being taken advantage of, we see abuse to our largesse being made, we see our compassion being misdirected, we see ourselves being taken advantage of, played the fool, made a sucker of because of our legitimate compassionate feelings, it seems to me that we ought to correct the mechanism. That is all I am trying to accomplish here. If we have got something that does not work, we need to admit it rather than just saying, "Oh, gosh, somebody may starve."

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The answer is, oh, gosh, we may be able to save more people if we get rid of a mechanism that is faulty and put the money in something that works. That is all I am trying to say.

Mr. DURBIN. Mr. Chairman, will the gentleman yield?

Mr. LIVINGSTON. I yield to the gentleman from Illinois.

Mr. DURBIN. I thank the gentleman.

I would like to say to my friend from Florida, I think we share the same goal. I do not want to see a single penny wasted. I do not want to see a single taxpayer's dollar misused for political purposes or otherwise. But does the gentleman realize in titles I and II we have over \$1 billion being spent by this country?

The gentleman is talking about taking \$29 million out of title III because he is upset with one or two allocations around the world. I would say to the gentleman, I have a list here in my hand of five allocations which he should applaud, where this title III money is being used to literally feed starving people.

Please, do not kill the whole program in countries like Ethiopia, Sri Lanka, Honduras, Bolivia, and Bangladesh, because you have some objection to what happened in Somalia.

Mr. GOSS. Mr. Chairman, if the gentleman will yield further, I guess I would finish this by saying that humanitarian an emergency feeding programs, which are the type the gentleman are talking about, that come under title III, are going to remain not only fully funded, but probably enhanced under this amendment. We are going to get more money where the need is doing it this way than we are by just maintaining the status quo of a program that has already been cut, because, frankly, it is not doing the job it should be doing, and, frankly, it has got some problems. The people, properly the gentleman from Louisiana [Mr. LIVINGSTON] and his people, have seen there is trouble there. Consequently, they have cut some money.

I merely suggested we got a good first step, why not take the rest of the stem and get rid of title III, and do it right through titles I and II and get the job done well. I think the consequence is we end up taking care of more serious needs than not. My motive is none other than that.

What struck the chord yesterday was the gentleman from Ohio [Mr. HALL]

trying in the Committee on Rules to find a way to get the Committee on Rules to grant an exception for a waiver that would basically get more money into title II. We could not do it on the Committee on Rules, so I thought this would be a fair way to try and accommodate the desires of the gentleman from Ohio [Mr. HALL].

The CHAIRMAN pro tempore (Mr. GOODLATTE). The question is on the amendment offered by the gentleman from Florida [Mr. GOSS].

The amendment was rejected.

The CHAIRMAN pro tempore. Are there further amendments to this paragraph?

If not, the Clerk will read.

The Clerk read as follows:

COMMODITY CREDIT CORPORATION EXPORT  
LOANS PROGRAM ACCOUNT  
(INCLUDING TRANSFERS OF FUNDS)

For administrative expenses to carry out the Commodity Credit Corporation's export guarantee program, GSM 102 and GSM 103, \$3,381,000; to cover common overhead expenses as permitted by section 11 of the Commodity Credit Corporation Charter Act and in conformity with the Federal Credit Reform Act of 1990, of which not to exceed \$2,792,000 may be transferred to and merged with the appropriation for the salaries and expenses of the Foreign Agricultural Service, and of which not to exceed \$589,000 may be transferred to and merged with the appropriation for the salaries and expenses of the Farm Service Agency.

EXPORT CREDIT

The Commodity Credit Corporation shall make available not less than \$5,500,000,000 in credit guarantees under its export credit guarantee program extended to finance the export sales of United States agricultural commodities and the products thereof, as authorized by section 202 (a) and (b) of the Agricultural Trade Act of 1978 (7 U.S.C. 5641).

TITLE VI

RELATED AGENCIES AND FOOD AND  
DRUG ADMINISTRATION  
DEPARTMENT OF HEALTH AND HUMAN  
SERVICES

FOOD AND DRUG ADMINISTRATION  
SALARIES AND EXPENSES

For necessary expenses of the Food and Drug Administration, including hire and purchase of passenger motor vehicles; for rental of special purpose space in the District of Columbia or elsewhere; and for miscellaneous and emergency expenses of enforcement activities, authorized and approved by the Secretary and to be accounted for solely on the Secretary's certificate, not to exceed \$25,000; \$907,499,000, of which not to exceed \$87,528,000 in fees pursuant to section 736 of the Federal Food, Drug, and Cosmetic Act may be credited to this appropriation and remain available until expended: *Provided*, That fees derived from applications received during fiscal year 1997 shall be subject to the fiscal year 1997 limitation: *Provided further*, That none of these funds shall be used to develop, establish, or operate any program of user fees authorized by 31 U.S.C. 9701.

In addition, fees pursuant to section 354 of the Public Health Service Act may be credited to this account, to remain available until expended.

In addition, fees pursuant to section 801 of the Federal Food, Drug, and Cosmetic Act may be credited to this account, to remain available until expended.

None of the funds appropriated or made available to the Federal Food and Drug Ad-

ministration shall be used to implement any rule finalizing the August 25, 1995 proposed rule entitled "The Prescription Drug Product Labeling; Medication Guide Requirements," except as to any specific drug or biological product where the FDA determines that without approved patient information there would be a serious and significant public health risk.

Section 3 of the Saccharin Study and Labeling Act (21 U.S.C. 348 nt.) is amended by striking out "May 1, 1997" and inserting in lieu thereof "May 1, 2002".

BUILDINGS AND FACILITIES

For plans, construction, repair, improvement, extension, alteration, and purchase of fixed equipment or facilities of or used by the Food and Drug Administration, where not otherwise provided, \$21,350,000, to remain available until expended (7 U.S.C. 2209b).

RENTAL PAYMENTS (FDA)

(INCLUDING TRANSFERS OF FUNDS)

For payment of space rental and related costs pursuant to Public Law 92-313 for programs and activities of the Food and Drug Administration which are included in this Act, \$46,294,000: *Provided*, That in the event the Food and Drug Administration should require modification of space needs, a share of the salaries and expenses appropriation may be transferred to this appropriation, or a share of this appropriation may be transferred to the salaries and expenses appropriation, but such transfers shall not exceed 5 percent of the funds made available for rental payments (FDA) to or from this account.

DEPARTMENT OF THE TREASURY

FINANCIAL MANAGEMENT SERVICE

PAYMENTS TO THE FARM CREDIT SYSTEM  
FINANCIAL ASSISTANCE CORPORATION

For necessary payments to the Farm Credit System Financial Assistance Corporation by the Secretary of the Treasury, as authorized by section 6.28(c) of the Farm Credit Act of 1971, as amended, for reimbursement of interest expenses incurred by the Financial Assistance Corporation on obligations issued through 1994, as authorized \$10,290,000.

INDEPENDENT AGENCIES

COMMODITY FUTURES TRADING COMMISSION

For necessary expenses to carry out the provisions of the Commodity Exchange Act, as amended (7 U.S.C. 1 et seq.), including the purchase and hire of passenger motor vehicles; the rental of space (to include multiple year leases) in the District of Columbia and elsewhere; and not to exceed \$25,000 for employment under 5 U.S.C. 3109; \$55,101,000, including not to exceed \$1,000 for official reception and representation expenses: *Provided*, That the Commission is authorized to charge reasonable fees to attendees of Commission sponsored educational events and symposia to cover the Commission's costs of providing those events and symposia, and notwithstanding 31 U.S.C. 3302, said fees shall be credited to this account, to be available without further appropriation.

FARM CREDIT ADMINISTRATION

LIMITATION ON ADMINISTRATIVE EXPENSES

Not to exceed \$37,478,000 (from assessments collected from farm credit institutions and from the Federal Agricultural Mortgage Corporation) shall be obligated during the current fiscal year for administrative expenses as authorized under 12 U.S.C. 2249.

TITLE VII—GENERAL PROVISIONS

SEC. 701. Within the unit limit of cost fixed by law, appropriations and authorizations made for the Department of Agriculture for the fiscal year 1997 under this Act shall be available for the purchase, in addition to those specifically provided for, of not to exceed 667 passenger motor vehicles, of which

643 shall be for replacement only, and for the hire of such vehicles.

SEC. 702. Funds in this Act available to the Department of Agriculture shall be available for uniforms or allowances therefor as authorized by law (5 U.S.C. 5901-5902).

SEC. 703. Not less than \$1,500,000 of the appropriations of the Department of Agriculture in this Act for research and service work authorized by the Acts of August 14, 1946, and July 28, 1954 (7 U.S.C. 427, 1621-1629), and by chapter 63 of title 31, United States Code, shall be available for contracting in accordance with said Acts and chapter.

SEC. 704. The cumulative total of transfers to the Working Capital Fund for the purpose of accumulating growth capital for data services and National Finance Center operations shall not exceed \$2,000,000: *Provided*, That no funds in this Act appropriated to an agency of the Department shall be transferred to the Working Capital Fund without the approval of the agency administrator.

SEC. 705. New obligational authority provided for the following appropriation items in this Act shall remain available until expended (7 U.S.C. 2209b): Animal and Plant Health Inspection Service, the contingency fund to meet emergency conditions, fruit fly program, and integrated systems acquisition project; Farm Service Agency, salaries and expenses funds made available to county committees; and Foreign Agricultural Service, middle-income country training program.

New obligational authority for the boll weevil program; up to 10 percent of the screwworm program of the Animal and Plant Health Inspection Service; Food Safety and Inspection Service, field automation and information management project; funds appropriated for rental payments; funds for the Native American institutions endowment fund in the Cooperative State Research, Education, and Extension Service, and funds for the competitive research grants (7 U.S.C. 450i(b)), shall remain available until expended.

SEC. 706. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 707. Not to exceed \$50,000 of the appropriations available to the Department of Agriculture in this Act shall be available to provide appropriate orientation and language training pursuant to Public Law 94-449.

SEC. 708. No funds appropriated by this Act may be used to pay negotiated indirect cost rates on cooperative agreements or similar arrangements between the United States Department of Agriculture and nonprofit institutions in excess of 10 percent of the total direct cost of the agreement when the purpose of such cooperative arrangements is to carry out programs of mutual interest between the two parties. This does not preclude appropriate payment of indirect costs on grants and contracts with such institutions when such indirect costs are computed on a similar basis for all agencies for which appropriations are provided in this Act.

SEC. 709. Notwithstanding any other provision of this Act, commodities acquired by the Department in connection with Commodity Credit Corporation and section 32 price support operations may be used, as authorized by law (15 U.S.C. 714c and 7 U.S.C. 612c), to provide commodities to individuals in cases of hardship as determined by the Secretary of Agriculture.

SEC. 710. None of the funds in this Act shall be available to reimburse the General Services Administration for payment of space rental and related costs in excess of the amounts specified in this Act; nor shall this or any other provision of law require a re-

duction in the level of rental space or services below that of fiscal year 1996 or prohibit an expansion of rental space or services with the use of funds otherwise appropriated in this Act. Further, no agency of the Department of Agriculture, from funds otherwise available, shall reimburse the General Services Administration for payment of space rental and related costs provided to such agency at a percentage rate which is greater than is available in the case of funds appropriated in this Act.

SEC. 711. None of the funds in this Act shall be available to restrict the authority of the Commodity Credit Corporation to lease space for its own use or to lease space on behalf of other agencies of the Department of Agriculture when such space will be jointly occupied.

SEC. 712. With the exception of grants awarded under the Small Business Innovation Development Act of 1982, Public Law 97-219, as amended (15 U.S.C. 638), none of the funds in this Act shall be available to pay indirect costs on research grants awarded competitively by the Cooperative State Research, Education, and Extension Service that exceed 14 percent of total Federal funds provided under each award.

SEC. 713. Notwithstanding any other provisions of this Act, all loan levels provided in this Act shall be considered estimates, not limitations.

SEC. 714. Appropriations to the Department of Agriculture for the cost of direct and guaranteed loans made available in fiscal year 1997 shall remain available until expended to cover obligations made in fiscal year 1997 for the following accounts: the rural development loan fund program account; the Rural Telephone Bank program account; the rural electrification and telecommunications loans program account; and the rural economic development loans program account.

SEC. 715. Such sums as may be necessary for fiscal year 1997 pay raises for programs funded by this Act shall be absorbed within the levels appropriated in this Act.

SEC. 716. (a) COMPLIANCE WITH BUY AMERICAN ACT.—None of the funds made available in this Act may be expended by an entity unless the entity agrees that in expending the funds the entity will comply with sections 2 through 4 of the Act of March 3, 1933 (41 U.S.C. 10a-10c; popularly known as the "Buy American Act").

(b) SENSE OF CONGRESS; REQUIREMENT REGARDING NOTICE.—

(1) PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.—In the case of any equipment or product that may be authorized to be purchased with financial assistance provided using funds made available in this Act, it is the sense of the Congress that entities receiving the assistance should, in expending the assistance, purchase only American-made equipment and products.

(2) NOTICE TO RECIPIENTS OF ASSISTANCE.—In providing financial assistance using funds made available in this Act, the head of each Federal agency shall provide to each recipient of the assistance a notice describing the statement made in paragraph (1) by the Congress.

(c) PROHIBITION OF CONTRACTS WITH PERSONS FALSELY LABELING PRODUCTS AS MADE IN AMERICA.—If it has been finally determined by a court or Federal agency that any person intentionally affixed a label bearing a "Made in America" inscription, or any inscription with the same meaning, to any product sold in or shipped to the United States that is not made in the United States, the person shall be ineligible to receive any contract or subcontract made with funds made available in this Act, pursuant to the debarment, suspension, and ineligibility pro-

cedures described in sections 9.400 through 9.409 of title 48, Code of Federal Regulations.

SEC. 717. Notwithstanding the Federal Grant and Cooperative Agreement Act, marketing services of the Agricultural Marketing Service and the Animal and Plant Health Inspection Service may use cooperative agreements to reflect a relationship between Agricultural Marketing Service or the Animal and Plant Health Inspection Service and a State or Cooperator to carry out agricultural marketing programs or to carry out programs to protect the Nation's animal and plant resources.

SEC. 718. None of the funds in this Act may be used to retire more than 5% of the Class A stock of the Rural Telephone Bank or to maintain any account or subaccount within the accounting records of the Rural Telephone Bank the creation of which has not specifically been authorized by statute.

SEC. 719. None of the funds appropriated or otherwise made available by this Act may be used to provide food stamp benefits to households whose benefits are calculated using a standard deduction greater than the standard deduction in effect for fiscal year 1995.

SEC. 720. None of the funds made available in this Act may be used to provide assistance to, or to pay the salaries of personnel who carry out a market promotion/market access program pursuant to section 203 of the Agricultural Trade Act of 1978 (7 U.S.C. 5623) that provides assistance to the U.S. Mink Export Development Council or any mink industry trade association.

SEC. 721. None of the funds appropriated or otherwise made available by this Act shall be used to enroll in excess of 130,000 acres in the fiscal year 1997 wetlands reserve program, as authorized by 16 U.S.C. 3837.

SEC. 722. Of the funds made available by this Act, not more than \$1,000,000 shall be used to cover necessary expenses of activities related to all advisory committees, panels, commissions, and task forces of the Department of Agriculture except for panels used to comply with negotiated rule makings.

SEC. 723. None of the funds appropriated or otherwise made available by this Act shall be used to pay the salaries and expenses of personnel who carry out an export enhancement program if the aggregate amount of funds and/or commodities under such program exceeds \$100,000,000.

SEC. 724. None of the funds appropriated or otherwise made available by this Act shall be used to pay the salaries and expenses of personnel who carry out a farmland protection program in excess of \$2,000,000 authorized by section 388 of Public Law 104-127.

SEC. 725. None of the funds appropriated or otherwise made available by this Act shall be used to pay the salaries and expenses of personnel who carry out a wildlife habitat incentives program authorized by section 387 of Public Law 104-127.

SEC. 726. None of the funds appropriated or otherwise made available by this Act shall be used to pay the salaries and expenses of personnel who carry out a conservation farm option program in excess of \$2,000,000 authorized by section 335 of Public Law 104-127.

SEC. 727. None of the funds appropriated or otherwise made available to the Department of Agriculture shall be used to transmit or otherwise make available to any non-Department of Agriculture employee questions or responses to questions that are a result of information requested for the appropriations hearing process.

SEC. 728. None of the funds made available in this Act may be used to pay the salaries of employees of the Department of Agriculture who make payments pursuant to a production flexibility contract entered into under section 111 of the Federal Agriculture

Improvement and Reform Act of 1996 (Public Law 104-127; 7 U.S.C. 7211) when it is made known to the Federal official having authority to obligate or expend such funds that the land covered by that production flexibility contract is not being used for the production of an agricultural commodity or is not devoted to a conserving use, unless it is also made known to that Federal official that the lack of agricultural production or the lack of a conserving use is a consequence of drought, flood, or other natural disaster.

SEC. 729. None of the funds appropriated or otherwise made available by this Act shall be used to extend any existing or expiring contract in the Conservation Reserve Program authorized by 16 U.S.C. 3831-3845.

SEC. 730. None of the funds made available in this Act may be used to maintain the price of raw cane sugar (as reported for an appropriate preceding month for applicable sugar futures contracts of the Coffee, Sugar, and Cocoa Exchange, New York) at more than 117½ percent of the statutory loan rate under section 158 of the Federal Agriculture Improvement and Reform Act (title 1 of Public Law 104-127).

SEC. 731. None of the funds appropriated in this Act may be used to carry out the provisions of section 918 of Public Law 104-127, the Federal Agriculture Improvement and Reform Act.

SEC. 732. (a) IN GENERAL.—Any owner on the date of enactment of this Act of the right to market a nonsteroidal anti-inflammatory drug that—

(1) contains a patented active agent; has been reviewed by the Federal Food and Drug Administration for a period of more than 96 months as a new drug application; and

(3) was approved as safe and effective by the Federal Food and Drug Administration on January 31, 1991, shall be entitled, for the 2-year period beginning on February 28, 1997, to exclude others from making, using, offering for sale, selling, or importing into the United States such active agent, in accordance with section 154(a)(1) of title 35, United States Code.

(b) INFRINGEMENT.—Section 271 of title 35, United States Code shall apply to the infringement of the entitlement provide under subsection (a).

(c) NOTIFICATION.—Not later than 30 days after the date of the enactment of this section, any owner granted an entitlement under subsection (a) shall notify the Commissioner of Patents and Trademarks and the Secretary for Health and Human Services of such entitlement. Not later than 7 days after the receipt of such notice, the Commission and the Secretary shall publish an appropriate notice of the receipt of such notice.

Mr. SKEEN (during the reading). Mr. Chairman, I ask unanimous consent that the remainder of title VII, through page 68, line 22, be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from New Mexico?

There was no objection.

The CHAIRMAN pro tempore. Are there further amendments?

AMENDMENT OFFERED BY MR. SKEEN

Mr. SKEEN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SKEEN: General Provisions: On page 66 strike all on line 9 through 14.

Mr. SKEEN. Mr. Chairman, my amendment deletes the limitation on

the Department of Agriculture that would have prevented them from sending questions that had been submitted to the Department to third parties, including OMB. The past several years, we have had difficulty in getting questions back from the Department in a timely manner that are related to our hearings. It turns out that many times the holdup was not at the agency or Department level, but was with the OMB.

Although there was a rumor that this year some questions were reviewed by non-Federal people, that could not be confirmed. We have since had discussions with OMB, and will drop this provision, in hopes that next year the Committee can receive prompt response to its questions.

Mr. DURBIN. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, I am in complete agreement with this amendment. It is long overdue. It was a portion of the bill that was very controversial, behind closed doors. I think the gentleman has made the right decision. It greatly improves the bill, and I support the amendment.

Ms. KAPTUR. Mr. Chairman, I move to strike the requisite last word.

(Ms. KAPTUR asked and was given permission to revise and extend her remarks.)

Ms. KAPTUR. Mr. Chairman, I wanted to rise in support of the entire bill and commend our chairman, the gentleman from New Mexico [Mr. SKEEN], and our ranking member, the gentleman from Illinois [Mr. DURBIN], who is handling this bill for the last time here in the House, and wish him well in the other body as of next January, and to thank the gentleman from New Mexico for working with all of us on the committee, on both sides of the aisle, to continue support for American farmers, who are the most productive in the world.

Mr. Chairman, just for the record, let me say that in view of how much we have cut spending in this bill to meet the budget mark, let no one doubt which committee in this Congress is taking seriously the mandate to balance our budget. Our discretionary spending levels have been going down dramatically over the past several years.

Frankly, if you ask me, one way to solve the entitlement and mandatory spending problems and overruns we face as a country, it would be to collapse the jurisdiction of all those entitlement and mandatory spending programs right here in the Committee on Appropriations. We do a good job of it. I just want to thank the chairman for his leadership.

Mr. Chairman, the bill provides \$52.6 million in total budget authority for USDA and related agencies, a level that is \$10.51 billion below the fiscal year 1996 appropriations and \$5.9 billion below the Administration budget request for fiscal year 1997. Let no one doubt which committee in this Congress takes serious by its mandate to balance the budget. Our discre-

tionary spending levels are on a consistently downward slope. Frankly, if you ask me one way to solve the entitlement and mandatory spending overrun in other committees of this Congress would be to transfer their jurisdiction here. This is the only committee that has a proven track record of deficit reduction.

The bill includes a total of \$12.8 billion for discretionary programs which is \$508 million less than the amount appropriated in fiscal year 1996 and \$1.3 billion less than the budget request.

For mandatory programs, which are nearly 80 percent of the funding in this bill, the committee provides \$39.9 billion, a decrease of \$9.9 billion below the amount available for fiscal year 1996 and \$4.5 billion below the budget request.

Mr. Chairman, those who serve farmers and work with Agriculture are taught over and over again that there is a big difference between money and wealth. Our job on this Committee on Agriculture is to help create the wealth of America through the investments that we make in agriculture.

Market-oriented farm policy means farming for the market and not the Government, and requires investments in research which will keep agriculture competitive as we move into the new century.

The committee faced tough choices given our spending constraints. Yet, while faced with tight budget constraints we were still able to shift resources to priority programs.

In order to adequately fund critical programs like agricultural research and food safety, we needed to look at all programs funded in this bill including the new mandatory programs created by the farm bill.

Much discussion has focused on the \$100 million cut in farm program payments that was included in the subcommittee mark. I did not support efforts to restore this funding—\$100 million out of \$5.2 billion, is reasonable particularly when you consider that prices are record levels. At a time when we are on a path to balanced budget, it makes no sense to add new mandatory programs or to provide a windfall in farm payments.

I am particularly pleased that this bill also includes a provision which I offered and passed unanimously at subcommittee which requires farmers to plant in order to receive production flexibility payments under the new farm bill. This is a good Government amendment that allows taxpayers to get something in return for their investment in agriculture. The amendment allows for exemptions for conserving uses and weather-related exceptions.

As one supportive Member has described it, this is the "just don't sit on the tractor" amendment. This amendment basically says to receive a Federal payment you must work for it. If we expect welfare recipients to work for Federal payments, why shouldn't farm payments go only to those who work.

Since this amendment was offered I have heard from a number of tenant farmers who have been told by their landlords that their annual leases will not be renewed, so that the landlord can collect the full transition payment. For example, a rice farmer in Texas called my office today to say that the land he had farmed for the past 20 years was being taken away from him. He paid \$80 an acre for rent and under the payment structure of the new farm bill that landlord could receive \$160 an acre. Since the sign-up for the new farm bill is



in effect through July 12 we can make no estimate as to how widespread this concern is. But I want to serve notice today, that I will offer this amendment year after year until this provision which allows landlords to "take the money and run" is fixed.

And another farmer wrote me recently,

By all accounts my farming operation is rated as one of the top five in my county. We (my father and brother) combine ourselves so we rely on no outside help . . . We specialize in production of rice, corn and soybeans. We lease 75% of ground to farm which is the cause of our problem.

The landowner can now, terminate a lease of the tenant, . . . with the sole purpose of collecting the payment and not producing any crops on that land. . . . it allows investors to buy real estate and use the payment to help pay for the land, while not allowing a producer to farm it. . . . It was not the intent of this legislation to give land owners or any one the chance to exploit this bill into another public relations nightmare.

I must however express my opposition to the cap on sugar payments that is included in this bill. While I will not offer a motion to strike this provision, its impact will be devastating to the sugar beet farmers in my District. This bill caps the U.S. raw sugar price at 117.5 percent of the loan rate, or 21.5 cents per pound. This about 1.5 cents below current prices. According to USDA, so much foreign sugar would have to be imported to reduce the raw sugar price to the capped level, that the refined sugar prices beet producers receive for their crop would plummet to about 24 cents per pound from the current 32 cents per pound. This cap will reduce the value of the sugar produced by beet growers by \$650 million.

Traditional farm programs continue to receive a decreasing portion of our spending and in my view we should target our scarce agricultural dollars to small family farmers. I opposed the recent farm bill because I do not believe that it did enough to target assistance to family farmers and to provide them with a safety when times are bad. While the farm bill made progress by enacting a \$40,000 payment limitation, I remain concerned that large corporate farmers can still have access to Federal payments.

In the decade of the 1980's we have slowly eroded the basis of American agriculture—the family farmer—and are moving in the direction of large corporate farms. We must address the increased concentration in agricultural markets that is squeezing family farmers out of business. We must also ensure that commodity prices are maintained at a level high enough to compensate for costs of production and to maintain standards of living in order to attract and retain individuals in farm production. And further, we must also negotiate trade agreements which encourage and enhance the ability of family farmers to compete in world markets.

In agriculture trade, we must also work to recapture lost markets and increase exports. As American agricultural exports grow, foreign agriculture exports are being shipped to the United States in greater magnitude. Since 1981, our agricultural exports have declined from \$43.8 billion to a low of \$26.2 billion in 1986 and are projected to be a record \$60 billion next year. At the same time agricultural imports have increased from \$10.8 billion to approximately \$25 billion in 1995. In many cases these are products our own farmers could be selling.

In closing, I want to again commend the chairman and the ranking member for putting together a good bill. I urge the Members to support this fiscally responsible measure.

The SPEAKER pro tempore. The question is on the amendment offered by the gentleman from New Mexico [Mr. SKEEN].

The amendment was agreed to.

Mr. SKEEN. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker pro tempore (Mr. CHAMBLISS) having assumed the chair, Mr. GOODLATTE, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill, H.R. 3603, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Programs for the fiscal year ending September 30, 1997, and for other purposes, had come to no resolution thereon.

#### SPECIAL ORDERS

The SPEAKER pro tempore (Mr. CHAMBLISS). Under the Speaker's announced policy of May 12, 1995, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina [Mr. BURR] is recognized for 5 minutes.

[Mr. BURR addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio [Ms. KAPTUR] is recognized for 5 minutes.

[Ms. KAPTUR addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana [Mr. BURTON] is recognized for 5 minutes.

[Mr. BURTON of Indiana addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Missouri [Mr. VOLKMER] is recognized for 5 minutes.

[Mr. VOLKMER addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan [Mr. SMITH] is recognized for 5 minutes.

[Mr. SMITH of Michigan addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from American Samoa [Mr. FALEOMAVAEGA] is recognized for 5 minutes.

Mr. FALEOMAVAEGA addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana [Mr. BUYER] is recognized for 5 minutes.

Mr. BUYER addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois [Mrs. COLLINS] is recognized for 5 minutes.

Mrs. COLLINS of Illinois addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida [Mr. MICA] is recognized for 5 minutes.

Mr. MICA addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Nebraska [Mr. BEREUTER] is recognized for 5 minutes.

Mr. BEREUTER addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. RIGGS] is recognized for 5 minutes.

Mr. RIGGS addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. DORNAN] is recognized for 5 minutes.

Mr. DORNAN addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. FRELINGHUYSEN (at the request of Mr. ARMEY), for today after 5 p.m. and June 12.

#### SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:



(The following Members (at the request of Mr. McNULTY) to revise and extend their remarks and include extraneous material:)

Ms. KAPTUR, for 5 minutes on June 13.

Mr. VOLKMER, for 5 minutes, today.

Mr. FALEOMAVAEGA, for 5 minutes, today.

Mrs. COLLINS of Illinois, for 5 minutes, today.

(The following Members (at the request of Mr. KINGSTON) to revise and extend their remarks and include extraneous material:)

Mr. MCINTOSH, for 5 minutes on June 13.

Mr. BEREUTER, for 5 minutes, today.

Mr. RIGGS, for 5 minutes, today.

Mr. DORNAN, for 5 minutes, today.

#### EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mr. McNULTY) and to include extraneous matter:)

Mr. COYNE.

Mr. VENTO.

Mr. DIXON.

Mr. HALL of Ohio.

Mr. KANJORSKI.

Mr. RANGEL.

Ms. KAPTUR.

Mr. HAMILTON.

Ms. ESHOO.

Mr. DEUTSCH.

Mrs. LINCOLN.

Mr. GORDON.

Mr. BONIOR.

Ms. DELAURO.

(The following Members (at the request of Mr. KINGSTON) and to include extraneous matter:)

Mr. BEREUTER.

Mr. MYERS of Indiana.

Mr. HOUGHTON.

Mr. SCHAEFER.

Mr. COX of California.

Mrs. VUCANOVICH.

Mrs. ROUKEMA.

#### ADJOURNMENT

Mr. BEREUTER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 31 minutes p.m.), the House adjourned until tomorrow, Wednesday, June 12, 1996, at 10 a.m.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

3514. A letter from the General Counsel, Department of Housing and Urban Development, transmitting the Department's final rule—Opportunities for Youth: Youthbuild Program (FR-4038) (61 CFR 25124) received June 10, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

3515. A letter from the General Counsel, Department of Housing and Urban Development, transmitting the Department's final rule—Mortgage Insurance on Condominium Units in Non-FHA Approved Projects (FR-3655) (61 CFR 26982) received June 10, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

3516. A letter from the General Counsel, Department of Housing and Urban Development, transmitting the Department's final rule—Section 8 Tenant-Based Programs: Technical Amendments (FR-4055) (61 CFR 27162) received June 10, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. YOUNG of Florida: Committee on Appropriations. H.R. 3610. A bill making appropriations for the Department of Defense for the fiscal year ending September 30, 1997, and for other purposes (Rept. 104-617). Referred to the Committee of the Whole House on the State of the Union.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BUYER (for himself, Mr. FILNER, Mr. STUMP, and Mr. MONTGOMERY):

H.R. 3611. A bill to extend the authority for the homeless veterans' reintegration projects for fiscal years 1997 through 1999, and for other purposes; to the Committee on Veterans' Affairs, and in addition to the Committee on Banking and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GIBBONS (for himself, Mr. McDERMOTT, Mr. MATSUI, Mr. CARDIN, and Mr. LEWIS of Georgia):

H.R. 3612. A bill to reform the Nation's welfare system by requiring work and demanding personal responsibility; to the Committee on Ways and Means, and in addition to the Committees on Agriculture, Banking and Financial Services, Economic and Educational Opportunities, the Judiciary, Commerce, the Budget, National Security, International Relations, and Government Reform and Oversight, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. JOHNSON of South Dakota:

H.R. 3613. A bill to require the Secretary of the Army to acquire permanent flowage and saturation easements over land that is located within the 10-year floodplain of the James River, SD, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. LANTOS (for himself and Ms. ESHOO):

H.R. 3614. A bill to amend title 10, United States Code, to provide that certain individuals who would be eligible for military retired pay for nonregular service but for the fact that they did not serve on active duty during a period of conflict may be paid such retired pay if they served in the U.S. mer-

chant marine during or immediately after World War II; to the Committee on National Security.

By Mrs. VUCANOVICH (for herself, Mr. ENSIGN, and Mr. HAYES):

H.R. 3615. A bill to amend the Harmonized Tariff Schedule of the United States to correct the tariff treatment of certain silver and gold bars, and for other purposes; to the Committee on Ways and Means.

By Ms. WOOLSEY:

H.R. 3616. A bill to amend the Job Training Partnership Act to provide for the establishment of standards to ensure long-term economic self-sufficiency for participants in adult training programs carried out under part A of title II of that act, and for other purposes; to the Committee on Economic and Educational Opportunities.

By Mrs. CLAYTON (for herself, Mr. BONIOR, Mr. RICHARDSON, Ms. DELAURO, Mr. KING, Mr. PAYNE of New Jersey, Mr. SANDERS, Mr. WARD, Mr. FRAZER, Mr. FORD, Mr. BROWDER, Mr. NORWOOD, Mr. HILLIARD, Mr. HINCHEY, Mr. OWENS, Mr. HALL of Ohio, Mr. FIELDS of Louisiana, Mr. MEEHAN, Mr. FROST, Mr. HASTINGS of Florida, Mrs. MALONEY, Mr. LANTOS, Mr. DELLUMS, Mr. FRANKS of Connecticut, Mr. WAXMAN, Mr. CLYBURN, Mrs. MYRICK, Mr. ABERCROMBIE, Mr. FARR, Mr. JACKSON, Mr. GILCHREST, Ms. NORTON, Ms. WOOLSEY, Ms. FURSE, Ms. ESHOO, Mr. PALLONE, Mrs. THURMAN, Mrs. KENNELLY, Mr. SHAYS, Mr. CLAY, Ms. JACKSON-LEE, Ms. KAPTUR, Mr. WATT of North Carolina, Mr. FOGLIETTA, Mr. THOMPSON, Mr. MILLER of California, Mr. LEWIS of Georgia, Ms. PELOSI, Ms. ROYBAL-ALLARD, Mr. WYNN, Mr. EDWARDS, Mr. CLEMENT, Mrs. SCHROEDER, Miss COLLINS of Michigan, Mr. RUSH, Mr. TORRICELLI, Mr. STOKES, Mr. ROSE, Mr. CUMMINGS, Mr. HEFNER, Mr. TALENT, Mrs. MEEK of Florida, Mr. FLAKE, Ms. PRYCE, Mr. SERRANO, Mr. BISHOP, Mr. FATTAH, Ms. SLAUGHTER, Ms. RIVERS, Mr. NADLER, Mr. FRANK of Massachusetts, Ms. VELAZQUEZ, Ms. WATERS, Mrs. COLLINS of Illinois, Mr. STARK, and Mr. BARRETT of Wisconsin):

H. Con. Res. 183. Concurrent resolution condemning the recent rash of arson against African-American churches across the United States, pledging to assist law enforcement authorities in apprehending the persons responsible for such acts of arson, supporting bipartisan legislation which would facilitate the prosecution of arsonists and create more severe penalties for arson against houses of worship, and encouraging the people of the United States to work in their communities to prevent future acts of arson against African-American churches; to the Committee on the Judiciary.

#### MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

[Omitted from the Record of June 10, 1996]

221. By the SPEAKER: Memorial of the House of Representatives of the State of New Hampshire, relative to House Joint Resolution 25 urging the Federal Energy Regulatory Commission, the U.S. Environmental Protection Agency, the Council on Environmental Quality, the U.S. Congress, and the President of the United States to implement increased competition in the electric utility industry in a manner that furthers environmental improvement and promotes full and

fair competition including equitable and appropriate environmental regulation for all electricity generators; to the Committee on Commerce.

222. Also, memorial of the House of Representatives of the State of New Hampshire, relative to House Concurrent Resolution 27 urging Congress to reauthorize certain aspects of the Safe Drinking Water Act; to the Committee on Commerce.

223. Also, memorial of the Senate of the State of New Jersey, relative to Senate Resolution No. 28 encouraging the New Jersey congressional delegation to support Federal legislation providing for greater local television coverage for the State of New Jersey; to the Committee on Commerce.

#### ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 218: Mr. BACHUS.  
H.R. 248: Mr. FRANK of Massachusetts.  
H.R. 573: Mr. BLUTE and Mr. SERRANO.  
H.R. 598: Ms. FURSE, Mr. HOLDEN, Mr. JEFFERSON, and Mr. CANADY.  
H.R. 778: Mrs. FOWLER.  
H.R. 784: Mr. WATTS of Oklahoma, Mr. KNOLLENBERG, and Mr. DELAY.  
H.R. 972: Ms. PRYCE.  
H.R. 1000: Mr. HALL of Ohio and Mr. MEEHAN.  
H.R. 1049: Mr. THOMPSON.  
H.R. 1386: Mr. CHRYSLER, Mr. BARR, Ms. HARMAN, and Mr. SPENCE.  
H.R. 1500: Mr. LATOURETTE.  
H.R. 1758: Mr. SANDERS and Mr. ACKERMAN.  
H.R. 2089: Mr. BARRETT of Nebraska.  
H.R. 2244: Ms. KAPTUR and Mr. TATE.  
H.R. 2246: Mr. ENGEL.  
H.R. 2306: Mr. TALENT.  
H.R. 2320: Mr. FRANKS of New Jersey, Mr. DOOLEY, and Mr. MCDERMOTT.  
H.R. 2335: Mr. CLINGER, Mr. MICA, Mr. CLEMENT, Mr. BRYANT of Tennessee, Mr. TAUZIN, Mr. SPRATT, Mr. NETHERCUTT, Mr. LIVINGSTON, Mr. BARTON of Texas, Mr. KLINK, and Mr. FIELDS of Texas.  
H.R. 2416: Mr. ZELIFF.  
H.R. 2489: Mr. EVANS, Mr. ROMERO-BARCELO, Mrs. SEASTRAND, Mr. TORKILDSEN, Ms. WOOLSEY, and Mr. YATES.  
H.R. 2651: Mr. TORRICELLI.  
H.R. 2779: Mr. CANADY, Mr. GOSS, Mr. HOEKSTRA, and Mr. PACKARD.  
H.R. 2796: Ms. NORTON.  
H.R. 2807: Mr. MARTINI.  
H.R. 2820: Mr. RIGGS.  
H.R. 2834: Mr. COYNE and Mr. DOYLE.  
H.R. 2951: Mrs. LOWEY, Ms. FURSE, Mr. MARKEY, and Miss COLLINS of Michigan.  
H.R. 2976: Mr. ACKERMAN, Mr. DOOLEY, Mr. QUILLEN, and Mrs. VUCANOVICH.  
H.R. 3037: Mr. JOHNSON of South Dakota, Mr. MCHUGH, and Mr. ROBERTS.  
H.R. 3038: Mr. COOLEY.  
H.R. 3118: Mr. KENNEDY of Rhode Island and Mr. LIPINSKI.  
H.R. 3179: Mr. FILNER, Ms. JACKSON-LEE, Mrs. MALONEY, Mr. TORRES, Mr. MANTON, Mr. TORRICELLI, Mr. FROST, and Ms. LOFGREN.  
H.R. 3181: Mr. HOKE and Mr. DELLUMS.  
H.R. 3270: Mr. MCKEON.  
H.R. 3332: Mr. LEWIS of Georgia, Mr. TOWNS, Miss COLLINS of Michigan, and Mr. GEJDESON.  
H.R. 3351: Mr. FATTAH.  
H.R. 3423: Mrs. MYRICK.  
H.R. 3426: Mr. MCDERMOTT, Mr. SCARBOROUGH, Mr. PAYNE of Virginia, Mr. KLECZKA, Mr. BARRETT of Wisconsin, Mr. DURBIN, Mr. EVANS, Ms. NORTON, and Mr. LIPINSKI.  
H.R. 3447: Mr. RIGGS, Mr. DICKEY, and Mr. BALDACCI.

H.R. 3498: Mr. ACKERMAN.

H.R. 3504: Mr. BOEHNER, Mr. BROWN of Ohio, Mr. FARR, Mr. FROST, Mr. LIPINSKI, Mr. NEY, Ms. NORTON, Mr. OLVER, Mr. ROHRBACHER, and Mr. WALSH.

H.R. 3525: Mr. ABERCROMBIE, Mr. FRAZER, Mr. HASTINGS of Florida, Ms. VELAZQUEZ, Mr. BRYANT of Texas, Mr. MINGE, Mr. BONIOR, Ms. LOFGREN, Mr. GONZALEZ, Mr. BERMAN, Ms. NORTON, Mr. WATT of North Carolina, Mr. SERRANO, Mr. HILLIARD, Ms. RIVERS, Ms. WATERS, Mr. WAXMAN, Mr. FROST, Mr. CLEMENT, Mr. BARRETT of Wisconsin, Ms. JACKSON-LEE, Mr. SCOTT, Mrs. SCHROEDER, Mr. SCHUMER, Mr. FRANK of Massachusetts, Mr. NADLER, Mr. REED, Mr. BECERRA, Mr. FORD, Mr. CHAPMAN, Mrs. KENNELLY, Mr. WARD, Mr. EDWARDS, Mr. WATTS of Oklahoma, Mr. CUMMINGS, Mr. JOHNSTON of Florida, Mr. PARKER, Mr. TANNER, Mr. KINGSTON, Mr. FIELDS of Louisiana, Mr. CHAMBLISS, Mr. DUNCAN, Mr. SPENCE, Mr. PACKARD, Mr. HALL of Ohio, Mr. MCHUGH, Mr. GALLEGLY, Mr. FLANAGAN, and Mr. GRAHAM.

H.R. 3587: Mr. FAZIO of California, Mr. YATES, Mr. ACKERMAN, and Mr. FROST.

H. Con. Res. 10: Mr. LEVIN and Mr. GOODLING.

H. Con. Res. 51: Mr. KLUG and Mr. LEVIN.  
H. Con. Res. 83: Mr. ACKERMAN.

H. Con. Res. 145: Mr. EVANS and Mr. LEVIN.  
H. Con. Res. 156: Mr. BRYANT of Texas, Mrs. MINK of Hawaii, Mrs. MORELLA, and Mrs. COLLINS of Illinois.

H. Res. 220: Mr. ABERCROMBIE, Mr. SAM JOHNSON, Mr. JOHNSTON of Florida, Mr. McNULTY, Mr. TORRICELLI, Mr. MORAN, Mr. BALDACCI, Mr. LANTOS, Mr. ENGEL, and Mr. EVANS.

H. Res. 439: Mr. MCHALE.

#### AMENDMENTS

Under clause 6 of rule XXIII, proposed amendments were submitted as follows:

H.R. 3603

OFFERED BY: Mr. BONO

AMENDMENT No. 9: Page 69, after line 5, insert the following new section:

SEC. . It is the sense of Congress that, not later than the date of the enactment of this Act, the Secretary of Agriculture should—

(1) release a detailed plan for compensating wheat farmers and handlers adversely affected by the karnal bunt quarantine in Riverside and Imperial Counties of California, which should include—

(A) an explanation of the factors to be used to determine the compensation amount for wheat farmers and handlers, including how contract and spot market prices will be handled; and

(B) compensation for farmers who have crops positive for karnal bunt and compensation for farmers who have crops which are negative for karnal bunt, but which cannot go to market due to the lack of Department action on matching restrictions on the negative wheat with the latest risk assessments; and

(2) review the risk assessments developed by the University of California at Riverside and submit a report to Congress describing how these risk assessments will impact the Department of Agriculture policy on the quarantine area for the 1997 wheat crop.

H.R. 3603

OFFERED BY: Mr. DURBIN

AMENDMENT No. 10: Page 69, after line 5, insert the following new section:

SEC. 734. Of the funds made available in this Act to the Department of Agriculture, the amount provided for "Rural Utilities Assistance Program" is increased, the amount

provide for "Distance Learning and Medical Link Program" is increased, and none may be used; by \$22,500,000, by \$2,500,000, and to carry out or pay the salaries of personnel who carry out any extension service program for tobacco or to provide or pay the salaries of personnel who provide crop insurance for tobacco for the 1997 or later crop years; respectively.

H.R. 3603

OFFERED BY: Mr. SCHUMER

AMENDMENT No. 11: Page 69, after line 5, insert the following new section:

SEC. 734. (a) LIMITATION ON USE OF FUNDS.—None of the funds made available in this Act may be used to provide assistance to, or to pay the salaries of personnel who carry out, a market access program pursuant to section 203 of the Agricultural Trade Act of 1978 (7 U.S.C. 5623).

(b) CORRESPONDING REDUCTION IN FUNDS.—The amount otherwise provided in this Act for "Commodity Credit Corporation Fund—Reimbursement for Net Realized Losses" is hereby reduced by \$90,000,000.

H.R. 3603

OFFERED BY: Mr. VOLKMER

AMENDMENT No. 12: On Page 48, line 17, strike "Provided further, That none of the funds made available under this heading shall be used for studies and evaluations."

H.R. 3610

OFFERED BY: Mr. SANDERS

AMENDMENT No. 1: Page , after line , insert the following new section:

SEC. . None of the funds available to the Department of Defense under this Act may be obligated or expended to pay a contractor under a contract with the Department of Defense for any costs incurred by the contractor when it is made known to the Federal official having authority to obligate or expend such funds that such costs are restructuring costs associated with a business combination that were incurred on or after August 15, 1994.

H.R. 3610

OFFERED BY: Mr. SANDERS

AMENDMENT No. 2: Page , after line , insert the following new section:

SEC. . None of the funds available to the Department of Defense under this Act may be obligated or expended to pay a contractor under a contract with the Department of Defense for any costs incurred by the contractor when it is made known to the Federal official having authority to obligate or expend such funds that—

(1) such costs are restructuring costs associated with a business combination that were incurred on or after August 15, 1994; and

(2) the reports for 1995 and 1996 that are required under section 818(e) of Public Law 103-337 (10 U.S.C. 2324 note) have not been submitted to Congress yet.

H.R. 3610

OFFERED BY: Mr. SANDERS

AMENDMENT No. 3: At the end of the bill (before the short title), insert the following new section:

SEC. . None of the funds available to the Department of Defense under this Act may be obligated or expended to pay a contractor under a contract with the Department when it is made known to the Federal official having authority to obligate or expend such funds that the payment is for the costs of compensation with respect to the services of any one individual at a rate in excess of \$200,000 per year. For purposes of this section, the term "compensation" includes salaries, bonuses, deferred compensation, stock options and payouts, certified indirect costs, restructuring costs, and performance-based payments.